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Privy Council Minutes
1848-1849

Vol 5

From Nov^br 30th 1848

To

April 21st 1849

also loose at Books 374

Palace, Honolulu 30th November 1848
12 o'clock Noon.

Present The King
A. Paki
M. Kekuanaoa
Joane Ii
R. C. Wyllie
R. Armstrong
C. J. Hopkins

After some discussion upon the topic of Hon. G. P. Judd's impeachment, and the duty required by the King, and after considering the objections of Hon. Armstrong and Hon. Wyllie, it was agreed that in loyalty to His Majesty no one could refuse to be sworn under his Royal Commission, which is as follows:—

(Translation)

Whereas G. M. Robertson, a Hawaiian subject, has entered a complaint before me against G. P. Judd my Minister of Finance, founded upon 16 grounds made known in his letter of complaint

Therefore, I hereby choose

Original Doc't marked A 3

you, A. Paki, M. Kekuanaoa, John Ii, R. C. Wyllie, R. Armstrong and C. G. Hopkins, as persons to inquire into those charges, that have been declared, and to make known the truth or the contrary of what is contained in that letter of complaint, according to the law called Act 1 of Kamehameha III, Sections 3rd 4th and 14th.

And I hereby order you to appear before me in my palace, tomorrow, the 30th of Nov., at 12 o'clock Noon, to take oath that you will act correctly and impartially in this matter.

Done at my Palace in Honolulu and my name signed, with the great seal this 25th day of November 1848

(L. S.) (Signed) Kamehameha

Mr Armstrong stated that he would beg leave to record in writing the objections he had made.

A. Pallis, M. Kekuanaoa, John Ii, R C. Wyllie, R. Armstrong and C. J. Hopkins then took the oath of which the following is a translation,

I swear upon the Holy Evangelists, as I shall answer God at the great day of Judgment, that as the King's commissioners in this case, I will act correctly, truly and faithfully, and without favor to or prejudice against any one. So help me God.

The Commission being thus constituted, in presence of the King Dr Wyllie was elected president and Dr Hopkins secretary.

His Majesty then retired having granted the use of the Council room in the Palace, for the sittings of the Commissioners.

The following notifications were then drafted, sanctioned

by unanimous vote of the Commissioners, who instructed Mr Hopkins as Secretary to sign them by their order, and pass them, together with a copy of the Royal Commission to Mr Judd and Mr Robertson respectively

(Copy.)

Royal Commission
Palace 30th November 1914

Sir, You are notified to appear before the Kings' Commissioners of Inquiry, on Saturday the 2nd of December at 10 o'clock A.M, in the Council Chamber in the Palace, to hear certain charges of impeachment made against you by Mr G. M. Robertson, Clerk of the Minister of the Interior.

A copy of the Royal Commission is appended for your information.

By order of the Commission
(Signed) Charles London Hopkins
Secretary

To His Excellency
G. P. Judd
Minister of Finance
&c. etc. etc.

C 9th

(Copy)

Royal Commission
Palace 30th Nov. 1848

Sir,

You are notified to appear before the Kings Commissioners of Inquiry, on Saturday the 2nd of December, at 10 o'clock a.m, in the Council Chamber in the Palace, in reference to certain charges of impeachment preferred by you against Hon. G. P. Judd.

A copy of the Royal Commission is appended for your information.

By order of the Commissioners
(Signed) Charles Jordon Hopkins
Secretary

To G. M. Robertson Esqre
Chief Clerk to the Minister
of the Interior.

Before the King retired it was voted, at the suggestion of Mr. Wyllie, and consented to by the King, that the Political creed of June 1845 as signed by Hon. Judd, Hon. Wyllie and Mr. Richard should be within the access of the Commissioners, for what useful

purposes, hereafter might arise under their commission.

The Commission adjourned till tomorrow the 1st Dec. at 10 o'clock A.M.

C. Stt.

Palace, 1st Dec. 1848
10 o'clock A.M.

Present, A. Parke, R C Wyllie
M. K. Kennaway, K Armstrong
Lowe Li, C J. Hopkins

The minutes of the Proceedings of yesterday were read and adopted.

Some arrangements were then made with regard to the chamber in which the meetings were to take place, and other matters of form.

Mr Hopkins read a note received by him from Mr Robertson requesting authority to examine certain papers. It was agreed he should reply according to the purport of his note, of which the following is a copy

Document marked A 2

Royal Commission
1st December 1848

Sir, In answer to your note of this morning acknowledging receipt of the Commissioners' notification and requesting authority to examine certain books and papers in the Treasury office, I would say that the Board will prefer your making

C. J. H.

subject before them, for the sake of regularity, at the preliminary meeting of tomorrow, when such business will be perfectly in order.

I remain Sir
Your obt humble Servt
(Signd) Charles Gordon Hopkins
Member of the Commission
and Secretary

To G M. Robertson Esqre
etc; etc; etc:

The Commission then adjourned till tomorrow, the 2nd inst at 10 o'clock M a. m.

Robt

Palace 2nd December 1648
10 o'clock A.M.

The Commissioners resumes their seats at the hour appointed.

The President proceeded to business by reading the Commission bearing the sign manual of his Majesty, and the oath taken by the Commissioners respectively, and remarked that in case either the party accusing or the party accused had any objection to either of the parties named in the Commission he should mention it, that it might be put upon record, and so for what it was worth.

Mr. Ireton asked, after the charges had been read in English by Mr. Broghill and in Italian by Mr. Hopkins, whether Mr. Robertson considered the English or the Italian version of the charges as the one which was to guide the Commissioners, as there were slight differences existing between the two.

Document marked A 3 and A 4

Mr Robertson explained that the English version of the charges was the one sworn to by him before the Governor, the other being merely a translation and was marked as such.

In answer to a question from the President, Mr Ludd said, he hoped Mr Robertson would be afforded every opportunity of bringing his charges forward, he wished to observe, by the way, that he felt it important that every thing should be interpreted into the native language as it occurred for the benefit of that half of the Commissioners who were of native birth.

Mr Robertson remarked that if it was of importance he would like a correct or very perfectly correct translation of the charges to be made for the benefit of the native Commissioners.

C. L.

But it was agreed that such a step was unnecessary, as the English version was the only one the Commissioners were to consider made out according to the forms of law, while the native one was so close that Mr Robertson himself was quite willing it should be used by the native Commissioners as a correct translation.

Mr Robertson wished authority to examine certain document in the Presiding Officer's but after a conversation of some length, it was considered that Mr Robertson ought first to present specifically some particular point by him to be proved, when authority would be given him to examine and bring forward the necessary evidence.

Mr Robertson then read a document intended to explain the animus in which he had entered upon this impeachment.

Mr Ludd wished to be provided

See document A 5

left

with a copy of the charges, and the Secretary was requested to furnish him with one.

* The Commissioners then adjourned till Monday the 4th of December instant, at 10 o'clock A. M.

* Mr. Judd also requested a copy of the document read by Mr. Robertson, and that gentlemen undertook to provide him with it.

Palace 4th Dec. 1848

The Commissioners met again at the hour appointed.

Mr Armstrong; after the minutes of the meetings of the 1st and 2nd of Dec. had been read and adopted, presented a certificate from Dr R.W. Wood as to his (Armstrong's) health, which he wished to be preserved among the documents of the Commission.

Doc. marked A 6

Mr Robertson read the specifications of his 13 first charges, but hoped that in case any particulars had escaped him in consequence of the short notice, he would be allowed to furnish them at a subsequent day.

Doc. marked A 7

Mr Judd stated that if the document just read were handed to him he would look it over and acknowledge the acts in some cases, but deny that he was wrong in so doing, and offer proof at once of his not having done some of the acts imputed to him. The acts stated to have been

C. Fitch

done by him in Mr Young's place, he was ready to show were in fact done by Mr Young himself.

He wished to know whether this Commission would enquire into any matter but those relating to his official acts. Some of the things set forth were done by him, if done at all, as a private individual, and had nothing to do with him as Minister of Finance or assistant of Mr Young.

Mr Robertson denied that he was assistant to Mr Young.

Mr Judd said, after some remarks had been made, that he received his objections.

Mr Robertson handed in a list of witnesses whom he wished summoned, viz: Wm Paty, A.P. Cornett, Henry Rhodes, Isaac Pitkin, Wm Jarrett, John R. Jackson, A. B. Bates, C.E. Helichenelt, Dr R.W. Wood, Wm Ladd.

It was voted by the Commission

Col. H

Doc. 8 marked A

that according to section 4th of the 1st K 4th page 10, they had power to summons said witnesses, and that they would do so.

See Doc: marked A 9

Mr Judd requested a copy of Mr Robertson's Specifications and list of witnesses: which the Secretary was requested to furnish.

Mr Robertson hoped he might be allowed to call for other witnesses in case any might have escaped his memory.

*. The commission then adjourned till tomorrow the 5th instant at 1/2 past 9 o'clock A. M.

* It was voted that Mr Hopkins, acting as Secretary, be empowered to employ the services of a clerk whenever he required documents copied, or other assistance, under the responsibility of the Commission.

C. G. H.

Palace 5th Dec. 1848

The Commissioners met again at the hour appointed.

The minutes of the last meeting were read and adopted.

William Paty sworn by the Governor:— Witness deposed that he has been in the habit of buying goods at auctions, during the last two years. Has also made purchases at private sale during that time, but not to any great extent. Has purchased what was necessary for his house, and perhaps some other matters. He had purchased, now he remembers it, largely during these last few months for California. Has bought a good many things at auction that had been ordered for Government use, such as paper and oils; has also bought in connection with his brother and Mr. Gould about $3,000 worth for California. Has had very few goods to store except

during the last 2 months, during which time he has used principally his own stone, that he had to before, and has stored about 15 tons in the Custom house stone, without charge, as the stone had plenty of space for it. G. ~~was~~ ~~cooperative~~ ~~with~~, and he had often allowed Govt goods to be stored in his stone without charge. Considered that if a stone account were made up for storage, Govt would be in debt to him about £300. Govmt has had lumber and coppers and other materials in his (with) stone, and carpenters have been at work there. Her upper loft was used by a sail maker making sails for the Kamehameha; that place would be let for £125 per month. He has worked there a great part of the last 3 months for Govmt; he has also done work for others, for which he made the usual charges. He was working for the Custom

P.

house before, but that was inconvenient and with[out] offend his Lord. The room had been lying vacant for some time previous. Of the lower room Gott has had sole occupancy for three months at least; this keeping the King: that was formerly let to Jarvis Co for $15.0: per month. Does not know who employed the sailmaker for Gott. The sailmaker was at work in the Custom house; heard from Dr Judd that he was at work for the Kamehameha, and his (with[out]) hours not being common mechanics hours, he offered his loft as being more convenient for both parties. These were the facts, ~~this was all that~~ ~~he was told~~ let them how they may be construed whether he was understood to have employed the sailmaker and sent the cloth to him, or to Gott=

Offit

Kay sold goods which he has bought at auction, being more than his own, mostly by auction; and com by private sale, just as he has seen all the commercials about him doing, without license. Bought a note of James on Montgomery (Montgy) but this time he was sued & have been robbed. It was for $4,200 and a little over. Paid for the note in California hides. After the purchase was made with Mc Ewen (Mc Ewen) he sold a half interest in the note, which he accepted. Bought the note at 1/2 of the half its face value. James was anxious to sell the note afterwards take 1/2 of the half its face in hides. With made an offer, Evans says he must dispose an answer in 15 minutes. He accepted it. Paid for the note by

by Montgomery, 2/3 perhaps in Boats and the rest in mates whaleboats. Bishop took about $1000 of Balzarines, the goods that were sent to California, a few were taken, and for those Bishop, family and friends, and some sent to Lahaina. Below those sent to Maui were sold on credit, sent them to Waiakea; very few were sold. Mr Judd was interested in the mate; the whole thing was managed by Bishop, could not recollect whether Bishop and Mr Judds name in the transaction, but considered him entitled to one half of the proceeds. Bishop thinks he has a copy of the letter of instructions sent

6 Cut

to Mess[rs] one of the acct
sales. If the account sales
be certified had. would
have no objection to
producing it here.
Recollects that selling one
piece of the Baltimores
to Mr. R one of sisters or his
wife. did not recollect
selling any more to
him. They were stored
in Room No 2 in the
yard adjoining
Winchester house.
Witness purchased a
cargo of lumber from
Capt Young some little
time ago. Recalls that
lumber to Mrs Vincent.
Mr Judd had one-half
interest in it. Mr. Judd
sat his share of the profit
arising from that sale
that is was one half
of the profit. Some time
ago sold a quantity of
white writing paper
to Mrs Judd. Witness bought

it at auction. It came out of a French vessel. It was supposed to be damaged: gave $1/2 a ream: but said that by taking off a few outsides sheets it was perfectly good: offered some to Mr. Lents for Govt at $1:50 per ream. Could have got $2 or $2:12 1/2 for it at auction. Mr Robertson had himself sold the same kind of paper to Govt at $2 per ream. Whenever he has seen any thing which sold so cheap as to make him believe he could make a profit by selling it again, he has bought it, and whenever he sold any of such articles to Govt he

C. H.

always dud to at
up the market
prices. Billerica W
is sold last
come of the lower
papers out the same
point. That is the
only interest Jit-
ney sold so
cheap on the market.
Mr. Judd has also share
in another transaction,
that of a lot of bottoms
that were damaged.
Witney has looked upon
Mr. Judd as an old friend
with a large family,
and has on such offered
him a share in those
transactions, as it was
doing him a service
without taking money
out of his pocket.
In every one of these instances
Witney has come and
offered Mr. Judd a
share in his things.

did not recollect any other case where they had been associated. There might be others. Mr Judd had no share in the paper transaction. He received money from the Minister of Finance for putting sand on the Nuuanu Road; there was a remainder of $800 in Mr Cornwell's hands for a former subscription, with got that: and there was also another subscription by himself Mr. Wyllie, Mr. Ruggles Mr Robinson, and the Giant subscribed as much as might be got by private subscriptions. Has never received any subsequent $. It was the Giant half that with out from Dr Judd on the occasion referred to.

W. L. H.

Purchased the land & premises, by Deed in June or July 1847. Mr Judd was concerned in that purchase. All rents or money &c, have been subsequently rented at different times. Mr Judd has a one half interest in the rent arising therefrom. Mr Whitney and Mr Judd had both claims on the estate, and the rents were sold under executions to meet judgment in favor of them. Has purchasers received rents for rent: they paid $1000 for the rents. The debt however is not extinguished by what they have already received: that is the debt of Judd & Co to Whitney and Mr Judd. Receives $2500 per annum as a Govt officer. Receives that as Collector Genl of Customs and Auditor of Finances. $1000 he receives

a Auditor of Finance.
When he was asked to
~~office~~ enter the Govt service
fully, he was asked
how much he would
would consider sufficient
salary for his Assistant
Staff & the Govt
service and he
rented £2,500:
In reply to the Govs
£1000 was ~~the~~ made
payable to him as
auditor of Finance
but he had nothing
to do with that. On
withg books he keeps
his salary entire, when
he sends in his acct
he gives himself credit
for one quarters salary
£625. Was appointed
auditor of Finance
he thought ~~the~~ in June
or July 1846. All accts
that have been presented

he has audited; the accounts have not been presented according to law. Some part of the machinery did not work well, and all checks were not presented. For some time after he audited certain checques upon the Ministry of Finance, could not say that all cheques presented by the Minister of Finance were presented to him. Some parts of the new laws were impracticable, the auditing and yet others. did not consider it his duty to go and demand that this meeting should be put in operation. Does not know by whose request or order the auditing was forgone;

If any orders were issued supposed they would come from the Minister of Finance. did not know that any orders were issued: knew that the practice of having cheques to be audited was discontinued, never enquired why. does not remember to have audited any acct except Mr Wyllie, during the last 12 months. Held a commission under His Majesty, held an Auditor and another as Collector. The Collectors salary is specified in the law, but not the auditors. The salary is not specified in the commission. Has had several conversations with Dr Judd about the auditorship: Mr Lucas may have intimated to

Exh 14

heir that the Affair was suspended by order of the Privy Council as a Board of Finance did not entitle him to Cheque ~~done~~ said Sr. When he renders his Quarterly account he pays over to the Treasy the balance due it; or on occasion there was a balance due the Treasy of £2000 which he asked the Minister of Finance to loan him on interest; it was two or three months before he paid it: no interest was paid. On a former occasion with Lord Acton on advancing the Treasy to double their amt, for which the Govt paid him no interest. ~~It was~~ ~~with the Lords~~ ~~of the Admiralty, the~~ ~~money came from the~~ ~~that salvage~~ ~~was~~ ~~into the Treasy~~ ~~at once~~ The Minister of Finance did not ask

for the loan of their sum,
but with ~~[illegible]~~
~~into the [illegible] of his~~
~~for it could be~~. Charges
his own salary, and
that of his clerks and
any other incidental
expenses, on disbursements
in rendering his
quarterly account.
Then knows that Mr
Van Phister borrowed
money of the Treasury,
is not aware of the
particulars. Thinks he
borrowed more than
once. Never borrowed of
the Custom-House, but has
borrowed with private
money. Should as more
honest thing for lending
the custom house money
than for giving it away.
Keeps the money he receives
for duties in the same
chest as that in which
he keeps his own money.
Pitched a short time ago

bought the schooner 'Martha'.
Mr. Endicott was not concerned
in the purchase but only
acted for Mr. Has since sold the
vessel at Public Auction. D. R. W.
Wood. he then sent
the purchase money. Has not
returned the register of
her to the Home Office. Can
it be done and what
will be necessary
in the absence of the Master
of the Martha. Was
under the impression
that the Shipping Act 1854
Rebuttal about it.
That it would be
necessary that the
~~~~~ ~~~~~ ~~~~~ ~~~~~ ~~~~~
~~~~~ ~~~~~ ~~~~~ ~~~~~ ~~~~~
in his ~~~~~ name.
What is necessary to be done
for. As in the case of
the Mary Frances for
instance: which stands
in the name of Corbett
Pitchilow. Thanks the
dear art history of
him. The transfer of
the vessel by H. Scrimshaw

was not ~~to~~ endorsed on the register. With communicated freely with Mr Robertson about the whole of that transactions. Mr Todd never entertained an intention to buy the schooner 'Plymouth' on Sat. acct. He said perhaps they might purchase her, but he could not do any thing before the sitting of the Council, & something of that sort. ~~He left after & did not return to the Fort.~~ Should consider the first time a man landed goods secretly or without paying the duties, that he was liable to an action for damages.

Compliments of Mr. Budd.

Yes Sir, the Gratuity Bank of Nevada does not make loans in its office, and has none of the 'Kennedy' method. But just some comments, was not informed what for; might have been for Nevada. A carpenter, who helped, was occupied a long time in mending Capt. Sam's plank [illegible] et for in his house. Two carpenters were employed there: he has denied for three months. Nevada, it might be six months. Has often been called upon by Mr. Budd, and his office been employed in doing outdoor work for Capt. has always been ready to do it. So far as with absentees goes, and he ought to know if any man could, that Mr. Budd has absented very little time on his private affairs: up there

C. C. H.

most men of them with
little suspicion that there
is not the affairs of
Government who shapes
its course in his own
affairs than Mr Judd.
In all these transactions
which have been
mentioned as occurring
between with Mr Judd, the trouble
and labor and sacrifice
of time has been on the
part of with ~~Capt~~ Mr. ~~Hall~~
~~with regard to~~ the lumber spoken
of as being purchased
of Capt ~~Hall~~ it was
~~with~~ the intention to
give it to Mr Brewer
Mitchell, but Mr Mitchell
sent it and made
an offer for it and
with accepted
his offer. Mr Caraman
has asked annually
$2 and 2 1/2 for the
same paper or with call

6/14

to sell it for 1:50 : Cent
a one occasion at 1:7/8
to sell it Cash : he
was selling it at 1:2 :
he had sold some on one occasion
Kenny and Robertson
at that price . This was
not at the same time however
that with sold the
paper in Court at 1:50 :
Should say the paper
he bought and sold
again in Court was
perhaps a little last
of the same kind
of paper that Owen
sold to Kenny and
Robertson . This Mr
Reeds of Instruction always
have in mind to audited,
the same rein No. 1 this
to the Mr . Of for rebuke ;
of his the letter
Act be Called
upon positively .
Behind Reeds ofc
as Attorney Genl were

6 4

always audited: the
affs of Mr Jaques & the
Govt. were
also audited for
a certain time. The affs
of the Marshal of
the Interior were
never passed in for
audit. Cannot
say whether he
ever audited any
affs of Mr Whitcomb
or Dr Thorp. On
reflection he thought
Mr Richards as Mr
P. Just. never sent
in Quarterly
accounts... Mr Lane made
a great deal of ~~trouble~~ difficulty
about handing in his
accounts, but as no
reason he refused;
and one with went
over his affairs and
helped to put them
into shape. Mr Judd
has frequently asked
with questions concerning

2/11

the books of his office and asked him to look at certain &c. Understood that, according to law, it would be necessary for him to keep a set of books corresponding with the books of the Main dept: that all appeals would have to be made known to him, and the case to be post as in the Treasury Office. That if it was impossible to comply with such regulations it would be by special consent that permission to compromise the [illegible] in the law had been abandoned: such was his impression. Recollected that Pomphlett was wanting money, and asked Mr Ewald what he had said to him among and may have remarked that it was not safe to send him: does not know of any instance of his lending Pomphlett money

(Mr Ewald)

belonging to Govt without taking, beyond his own. Has never completed counts in his order account or any body else accounts and without having duties. Should scorn the idea.

Mr. Robinson asked permission to ask a few more questions. By what does work mean paying to purchase paint or canvas, or working to sometg in connection with the Govt. vessels and other properties. Also in appraising lands. Sometimes has been paid but usually speaking not. Has been employed in many ways and delivering belonging to Govt, such as sugar, Molasses &c.

Col. H

the paper shewn of as having been sold by Witness & that was imported in June last. It was a long time previous to that that Canavane said he had sold the same paper at 12/. but the paper was more plentiful in the market then than it was when Witness sold some to Court. Does not remember ever having been called upon to examine the books of the Jersey Union since Mr Tarrant, his present book keeper, may have been called upon to look into some particulars of accounts. William Paty Mr Judd had no other questions.

The Commissioner then adjourned till Thursday morning the 4th of Dec. instant at 10 o'clock A.M.

Confirmed

Palace 7th Dec. 1848

The Commissioners met again at the hour appointed.

Mr. Robertson handed in the document marked A 5 of which he had had a copy made for the use of Mr. Judd

A. P. Everett sworn by the Governor. Interpreted

That in Mr. Stillmans absence he acts as his attorney. Mr. Stillman left here in the 'Kamehameha' schooner. Mr Stillman chartered that vessel of the Government. Has seen the charter-party. Has ~~XXX~~ in his possession ~~XXXXXXXXXXXXXXXXXXXX~~ one of the ~~the~~ original documents signed by Mr. Judd as Minister of Finance. Presumes Mr. Judd has the other. In making the arrangement with regard to the Kamehameha the Louisa was left here with an understanding that she should take the place of the other vessel. The Kamehameha personally was between Honolulu and Lahaina,

sometime the end of Kauai.
The Louise made one trip
to Lahaina after having been
to the other side of the
island, Koolau, where
she got on [illegible]. Jno
Hall was master of Lesa.
Before going to Koolau
Jno Hall suspended him
from duty saying that
he was a very dangerous
player and he did
not like to go there.
He went there [illegible]
of wood which Kaiup
always understood
belonged to Jno Hall.
If the Louise had been
in Kaiup Harbor or under
his control he should
most emphatically not have
allowed her to go to
Koolau. Casting anchor
from here to Honolulu
Hawaii were very scarce
at that time. Kaiup
had been running the
Louise previous to her
being taken in to Lahaina.
She was doing

was well: with [illegible] was quite satisfied. She was getting in about £400 per month. Heard complaints from the merchants that in consequence of the house being taken off the Sahaira route they called at no communications: nothing but small potato boats were coming between this and Liverpool for some time. Mr [illegible] imported a stone-frame from the United States some 2 years ago. Mr Lomas had made an arrangement for a pair of grooves to set it up upon. He was the beam, floors, windows and doors and slate for roofing a house intended to be built with stone walls. Pitt, I was not aware before whether the agreement made between

Pitt

James and Dr. Judd
about the sale was paid
by the latter for Dr. Judd
or by him individually.
The stone was not erected
on that place. There
was some difficulty about
the title, and again with
and his partner thought
it was better to have a
building and employ
their capital in another
way. Offered the stone
for sale to Dr. Judd.
He bought it. He did
not purchase it when
first offered to him.
It was a year or two and
some time elapsed before
the purchase and sale was made.
The papers say was made some eighteen months or so ago since
it was bought at auction from
1 July 1846 to 31st Dec
1847. Witness was present
at the sale during
that time. It was during
previously the case during
that time that Dr. Judd
and Dr. Pat both purchased.
Dr. Pat was a general
attender at auctions; he was
there as often as any one;

Witness recollected that on
the occasion Mr Davies
came to the store and
seemed [illegible] heard
about the treatment
he had received and
with regard to his
Public accounts and
to the Govt Purchase. ~~Mr~~
~~Hall told witness that~~
~~Mr Eadie had endeavoured~~
~~to induce him to leave~~
~~the House~~
what he most complained
of was that his account
had been in Mr Parkyn's
for 6 days or so and
he could not get
them audited: and had
to take them away with
out being audited: and
that Mr Parkyn could not
attend to them. Witness not
know why Parkyn could
not attend to them.
Mr Hall told witness
that Mr Eadie had
tried to get him to
leave the House

left

had he left witness should not have known who to put into her; witness had difficulty to get him on board. He was owing Kanaina and said one of Kanaina's men was watching him and said he should not go on board. Witness has never shown his original invoices at the Custom house but made out an inward entry ~~inventory~~, or copy of the invoices, giving the original cost with expenses of shipment at home, until placed on board. ~~add the expenses and charges with the~~ The Collector knows as well as witness what his goods cost in the United States. Mr. Paty has done a considerable business in purchases in the market particularly of late.

Mr. Judd remarked that he might object not only to certain questions put to witness, but to witness's testimony altogether. It did not bear on the point contained in the charge, and was a good deal of it hearsay evidence. But he went on the principle of letting Mr. Robertson bring forward every

thing he likes; whether relevant or otherwise. If the Commissioners were willing to lose their time, he was.

Examination continued. Mr Paty has lately been fitting out a vessel for California. Knows nothing about his sailing up an expedition to dig gold, except by hearsay. Witness during the last 6 months has heard amongst respectable parties an expression of want of confidence in Mr Judd as a Government officer.

Witness cross-examined by Mr Judd. When the stone frame was eventually bought by Mr Judd it was at a reduction of $320 upon the former first asked of him by Mr Jarrett. There was still left a profit to witness and his partners. What witness has stated with regard to the site for

Coffee

building he learned principally from Bro Jacox. But he had himself seen the document that was made drawn out between them. Between man and man considers it highly dishonorable for one man to ~~[illegible]~~ endeavour to get away a person at the employ of another, ~~[illegible]~~ : without previously giving notice to the employer Remembered Bro Caldwell's having spoken to him about Mr Hall, but it was after Mr Hall himself had ~~[illegible]~~ spoken to witness. Mr Hall did not leave with witness service. Did not know when Mr Hall made up his mind to leave his service and go to California. Has not heard of the thing at all till this moment. Mr Hall had his property bought goods of witness at private sale; and with ~~[illegible]~~ the price in American, adding a certain per centage, as the price here. In answer to

C. & H

a question from Mr Ewbank as to whether he had seen a document intended for signature and explanation of the want of confidence in Mr. Ewbank as an Officer of Govt. with he declined giving an answer. Mr Judd said he acted in connection with what Withy had previously said, about the feeling in a large part of the respectable community.

Withy eventually answered that he never has seen the document.

Henry Rhodes Sworn by the Governor:— Withy was clerk for some time in the Custom house under Mr Paty: his employment was with the Governor was so employed from about June 1846 till March 1847 Recollects Mr Paty selling a quantity of California

Capt

hides to Mr Eaves. Mr Judd had a half interest in the transaction; he and Mr Paty held a note between them. The original entry was made by Mr Wm Paty, as far as witness recollected; by which it was transferred to the books of the firm of Paty & Co under the head of Judd & Paty. The hides were given for a note on Isaac Montgy, the note was for $4200, Mr Paty gave $2000 in hides at 8 cents per pound: Judd and Paty bought the hides of Paty & Co at 7½ cents per pound * while in the Custom house with Kettell 2 sets of books; one for the custom house and one for Paty & Co. Paty & Co so called, consisted of Wm Paty, Jno Paty and Eli Southworth. Witness was paid entirely out of the Government money. He collected in his Quarterly accounts, used to charge with his salary as well as his own. His salary was for some months $45 per month and afterwards when witness left for more

* The note was for $4200 - Paty to Montgy in payment note on demand part, and by a bill of Exchange.

it was revised to £60. Neves received any seperate remuneration for what work he did on the books of Party &c: Only it was in this way, that he boarded for about 3 months with Mrs Park, who ~~charged him £5~~ charged £5 for meals, whereas he only charged £6. He did not however say he did so ~~by~~ as any remuneration: nor did Mr Park understand it as such. There were two cash a/c, one book for Park & Co and the other for the Customs, but the money was kept in one chest. There were no stated times for comparing the cash in the chest with the amount appearing on the books: it was never done except by Mr Park who visited upon us duty once before he left the employ. On posting in the Ledger a/c ~~the cash~~ ~~entered~~ a part payment of cash on hand was made, ~~without~~ on a/c, without

left

however company the amount that remained in the chest with the amount shown by the books. Cash was paid also into the treasury at other times, when there was much on hand & Mr Endell was in need of it for his department. Mr Paty told me he saw certain documents such as permits, manifests, entries etc as deputy collector, but he never had any written commission Mr Paty's particular department was the warehouse; he had not much writing to do, as with the books. Mr Paty as a general thing used to be in his office from about 10 till 3; but he was very often out at auctions and upon other business; private business principally. Could not say how often he went to auctions in the course of a month. Witness thought Mr Paty was auditor of Revenue for the Exchequer when he first went to the Custom house. For a few days he used to examine all cheques and write 'Past, Wm Paty, C.E.'

or something to that effect upon them; and made memoranda of every one he past upon some paper lying on his desk: after those few days, with he did not see him do any thing as auditor, unless it were perhaps in the case of Messrs Wyllie & Co. The passing of cheques by Mr Paty only continued for a few days after his first appointment to the office: on at all except he only did it for a few days: Remember the Collectors having returned a bond for liquor duties to George Pelly and S. J. Allan, Mr Paty & Dr Judd talked over the matter and gave with the bond to hand to Allan and thereby told him to make an entry 'Import duties of Geo Pelly and S.J. Allan'. It was remitted by order of the Minister of Finance. The liquors, the subject of the bond were condemned here; not reexported.

C.f.t

thought, to the best of his recollection this must have taken place about Jany 1847 or a little before: The amount was from between 15 to 18 hundred dollars perhaps. Does not remember Wm Paty to have surveyed or appraised any lands for Govt which [illegible] was in his office: After buying this at auction Mr Paty used to let other parties have part at times; could not say whether he sold at an advance of price. When he bought goods this were generally entered in the books of Paty & Co in Wm Paty Sr. Credit, and if part were paid credit was given him for the amount. Believes that a good many of the articles bought at auctions were resold by auction. Henry Rhodes.

[illegible]

Mr Judd has no questions to put.

Mr Paty not having signed his deposition on the 5th inst did so this day after it had been carefully read over to him, and still under his

C. F.

oath, offered the following explanations relative to the payment into the Treasury of the Quarterly balances of cash. He would state that he has not been particular at the end of the quarter to ascertain the exact balance of cash and pay it into the Treasury; but at the end of each quarter he paid in to the Minister of Finance or held at his disposal such an amount as he upon a prudential Calculation supposed to be about the amount due in balance, and besides was in the habit of paying into the Treasury from time to time monies he had in hand, without waiting for the termination of the quarter. William Paty

The Commission then adjourned till tomorrow the 8th Decr instant at 10 o'clock A.M.

Clerk

Palau 8th Dec. 1848

The Commissioners met again at the hour appointed.

Mr Robertson filed in writing a request that the Collectors General Quarterly returns might be brought into Court from the Treasury Offices

Lonee Piikoi sworn by the Governor:— Witness deposed that he controlled the Government vessels: under the orders of Mr Judd. He also is employed in superintending houses, bridges, etc: for Government. He does so under the direction of Mr Judd. He has also the charge of the Government stone in Oahu. The property received in payment of taxes on this and other islands is deposited there. He is also under Mr Judd's directions in that business. He appears for his salary with Mr Judd. Has been in the habit of paying the Captains and crews of the Government vessels one half of their wages in goods. Has making a returns to the Treasury

Subst. A 10

C. Gulick

Department he makes a reduction of 15 % on the amount paid by him to the Officers and crews of the Lost vessels in Seward Sound and Imaikalli talking on one occasion. Afterwards Mr Hall told Captain Smith that Dr Kane had asked him to "return on board the Kamehameha".* He did not say in what capacity. Does he mean Mr. Lord's order respecting the prisoners. The prisoners in Nunivak, he meant. It was in regard to food. They should be supplied. Send Mr Judd telling Kinimaka, the Superintendent. Has bought for himself certain clothing ^ stowed in the Warehouse & locked up. He paid Mrs Nahi. The amount ^ was $241.50. Could not speak certainly about the 'Louise' having been left here in the place of the Kamehameha, when the Cutter left for California. Merely

* Afterwards learnt from Mr Lord that it was Dr Hall who had instructed the Captain to return on board the Kamehameha

heard something to that
effect. He knows that the
Louise went to Kaalaea
for wood. Mr Judd sent
her there. Knows that the wood
belonged originally to Kalili and
was sold at auction; he
does not know whether it
belonged to Mr Judd or the
Govt. The place where the
Louise went is not a bad
place, the name is Kahana.
The Kanaka name he used to
mean between this and Kahana.
Thinks there were about
as many coasters as usual
running at that time. Knows
Mr Judd has had the contr
and ocean of Govt work
or his private transportation
Runaway, he took them by
information; with Mr Judd
has not often done so.
There was no Govt
yoke of oxen that Mr Judd
purchased & with towards
on his fence in Pawaa,
Waikiki. He did not take
the drivers. Witness has a
small store in town; there
is no sign board over
the door. He has a license
for retailing.

Witness cross-examined by
Mr Judd. Witness has been
nearly 5 years in the same

Eight

situation as he now holds.
In June / the crew of the ^ Goat refuse, receiving from Mr Judd a written order to pay each man in goods out of his (with) store; so much. Mr Judd told with he must let them have their goods at regular retail prices. Gave a Parker to that effect, and that on being paid cash by Goat he would make a reduction of 15 p.c. Mr Judd told with the words was his hard fortune that circumstance. It has been Mr Judds practice, for a long while, when the ships were absent to come in in numbers, to give with orders to send supplies to Kealakekua for fear of wood. Wood was brought round from Waiakeakua on shares in a Goat upon ½ for Walker and ½ for Goat. I think it any thing Kahaena is a better harbor / than Waiakeakua.

Mr Judd has previously ordered
with to send a Boat
vessel to Kaluaha for
fire wood. If Govt
vessels wants for wood
for private parties the one
half has been taken for
freight. During the last
5 years the Koolau (Louie)
and Pua have frequently
gone to those ports on
Govt business & for wood
of Mrs Judd. when the
wholeship commenced
coming in this season
there was no fire-wood:
only the guava wood on
the wharf which had
come from Palapala.
Since the ship began
coming in the Moku Ola
has been constantly
employed in bringing
wood from Kaluaha.
She will now come then,
for 3 mils belonging to
Mr Judd and 4 belonging
to mills. Mr. Judd once
obtained the Emilia
to go to Kaluaha for
fire wood. Mrs Judd
has instructed with
to sell the wood (Mr Judd's)
, and divide
for Govt half as Judd's half

Amended Account

When Mr Judd has used the Govt carts and men he has been charged for in the Saturday accounts. a memorandum has been made on the slate at the time. Mr Judd has expressed to witness his dislike to have the Govt carts and men employed except in the govt service. which he professed himself to understand. Then or Mr Judds own words he professed to be satisfied about it. Govt horses and cattle run on Mr Judds land at Pawaa, now, and have done so for the last four years.

By Mr Robertson. The Kamakaha never went for wood for any of the ~~Hale~~ parties whatever. ~~Hale~~ not received any thing from Mr Judd for selling his private wood. The stone fence round Mr Judds land at Pawaa is not yet finished. One Govt cart and yoke of oxen has been employed on it. that mentioned by witness before.

C.P.H.

By Mr. Judd. The Govt portion of the land has the present ~~part of the~~ portion of stone wall about it tha Mr. Judd's portion has. It easier to divide the proceeds of wood brought in ~~and sold~~ altogether than to divide the Govt half from the ~~Govt~~ half of Govt & Private parties. It is also the fairest. He understands the management of Govt reserves as managed by Mr. Judd. Does not know who managed the Govt reserves before Mr Judd came into office. Thinks Mr. Judd is skilful in his management of the Govt reserves. Thinks he manages them so as to make them profitable; and to avoid much expenses on the reserves. Mr. Judd has sometimes found fault with witness because he thought there had been unnecessary expenses in dealing with regard to the reserves. Mr. Judd has also found fault with him when other work has gone on ~~slowly~~, as in the case of the Custom-house, the new Officers in the Palace and the prisons in the Fort.

Withdrew

Suppose Mr. Judd never found fault with him until he thought he was wrong in some way. Does not. Knows what other people could do with regard to the Govt vessels, whether they would manage with more or less skill than Mr. Judd.

By Mr. Robertson. I. with knowledge there has been profit on some of the Govt vessels during the last two years. Does not know how much. The books in which the disbursements and receipts of the vessels are kept, are in the Treasury Office. Nobody but Mr. Judd during the last 4 years. or so has had the chief control of the Govt vessels.

Cora Dodai

John R. Lasker sworn by the Commissioner:— Witness is Police Justice for Honolulu. Is also Municipal Notary Public and Registrar of Conveyances. Was informed some time since that most of the persons in Nuuanu Road

run away: Mr Judd afterwards spoke to him of the circumstances. Mr. Judd informed him that he had had a little scrape, or something of that sort, that Kimber had told him that one of the prisons had run away, & that he had given him an order something to the effect, "Please let the bearer search your ship for a runaway prisoner" Does not recollect whether Mr. Judd signed it as Minister of Finance or not. Presumes the proper person to apply to in a case of that kind would be the Marshal or otherwise the Governor. Mr Judd remarks at the time he did not think it a very important matter, and that the Governor was the best way. Believes he has heard Mr Robertson express impatience and dissatisfaction at Dr Judd's

Exit

interference with him in his duties. Remember shortly after the 4th July last year, when Mr Patterson was President of Police, and had been a little and by the way by drink, I heard Mr Judd either ask Mr Lee whether he had dismissed Mr Patterson, or demanded his immediate dismissal of him, something to that effect, which seemed to witness at the time declaratorial. Has been treated sometimes rather cavalierly by Mr Lee with regard to his getting paid at the Treasury Office; could not deny that it amounted to actual disbarment. Never exactly settled in his own mind whether Mr Wilder conducted proceedings from mere care, or a pecuniary

of manner, but thought it was rather harsh. The first instance was when Withy presented his first cheque as Rivers Clerk. Dr Read would not pay it, till he had seen Withy, who he made some remarks about his not knowing he had a salary. The cheque was paid by a cross cheque on the Peoples Bank.

The cheque was drawn by Rivers. On another occasion Dr Read said he did not know that there was any abbreviation for a Clerk of Dr Rivers, Withy explained what he had learnt from Rivers, that he had been paying Mr Grey £60 per annum and would pay Withy the same. In consequence of this behaviour being pursued on 5 or 6 occasions, Withy told Dr Rivers he would never present another cheque, but would rather lose his salary altogether.

Mr. Reid as it happened
sent it to Mr. Judd. When
Mr Reid finally settled
his a/c in May 1847 or there-
about, he gave with
a Cheque for about
£80 in settlement of
sales, which with
refused to present, Mr.
Reid drew the money
himself and paid
it to with £. The laws
of this country do not
allow the Govt to give
permission to foreign
sailors to remain
on shore more
than 60 days. It can
be renewed for another
60 days. There is a
contract recorded in
with's Work in the native
language, as between
Mr. Judd and Mr Young,
by which as far as
with remembers Mr
Young undertook to
pay one Thousand

dollars per annum to Mr Judd till 1880 perhaps, for the services of some property in a wharf to Govt. does not recollect the date; but this sum was received within the last 12 months. Inferred at the time when it was handed in for passing by Mr. Judd that it was a private entered into between Mr Young as Mr Judd, by which Mr Young understood behind the Govt to pay Mr Judd $1000 per annum contract, ~~was a contract with the Govt~~ does not recollect whether it is signed by Mr Young as Minister of the Interior, or as a private individual. Should think according to the general tenor of the laws, Mr Young could not make such a contract binding upon the Govt without the sanction of the ~~Privy Council~~ Board of Finance.

Shine did not think the Ministers of Finance would be authorized to pay money upon that contract made by the Ministers of the Interior, without the approval of the Board of Finance. Hitherto practice as an attorney, and is acquainted with the statutes of the Kingdom. About a month or 6 weeks before Wm Pitt deliberation was taken with he came into with Hoffmire and Lord he wanted to have some conversation. He stated that he wanted with to take up a case against Judd. He said that something like 2 Years before Judd had induced him to sign his name to a contract in Lahaina; that contract was conditioned that if he got drunk

within one twelvemonth his
wife was to be forfeited
to Mr Judd: & that Mr.
Judd was to have the
right of taking the wife
away. He further stated
that within the twelve
Mr. Judd said the wife
had been forfeited by
him under the contract.
He further stated that
afterwards Mr Judd
took him into the room
now used by witness
as an office, together
with Parki and Mrs
Yuen; they were both
weeping, Mr Judd cried
and that he said,
caused him to cry,
Mr Judd wrote
something hastily in
native which he
put his name to
without reading
it, as he was not
in a condition to do so,
He said nothing further
occured until he found
the wife was abducted

"C"

for sale, parties to
ability to himself or Doc
Judd: Witness asked whether
he had authorized Doc
Judd to advertise the
vessel, he said no,
only if it were in that
paper which he signed
without reading it. He
said he understood
the vessel had been
sold for $3,500, but
what was done with
the money he did not
know. Witness asked
if he had ever executed
to his knowledge a
bill of sale of the
vessel, he said no.
He asked witness his
opinion about the
matter, saying he
was determined to
have law from the
responsible party.
Witness said he would
reflect on the matter,
and having satisfied
himself as well as he

2 pd

could as to the purport
of the writing found in Lakeria,
he then or a day
afterwards gave Mr.
Kellerhouse his opinion.
His opinion he gave was
that the contract, if the
only consideration was
his getting drunk or not, was
in law a nullity, and
that upon proving that fact
before 12 men he would
be able to recover
his repil with damages
for detention. He then
said he wished with
to institute a suit;
with said he better
not be in a hurry,
that he with, wanted
to satisfy himself there
was no other Consideration
but his getting drunk or not
in the contract as drawn in Lakeria
Kellerhouse then agreed him
a fee of $500 in case
he recovered the repil.
That was the last time with
saw him: he fell sick and
died. shortly afterwards.

C. C.

the said Landis did not know where the contract was. There was lately a suit instituted before the Superior Court, for the foreclosure of a mortgage in the premises of Ladd & Co. Below those premises were sold under two executions one in favor of Mr. Judd and the other in favor of Mr Parks, some 16 months ago. They became ostensibly the owners of the premises and received all the profits accruing in payment of their claims. The premises were sold subject to the mortgage mentioned. Did not know of any greater legal obstacles to the foreclosure of the mortgage at that time, than exist at present. ~~Below is that~~ About the time of the robbery perpetrated upon the

C. H. T.

premises of Cambell, when
Withop was retained by Jenkins
and others, and Mr. Sudell
perceived reneed at his having
done so, he said to Mr.
Sudell that if Gort paid
him £600 a year he would
act as standing attorney
for Gort. If he had been
paid £600 he should have
accepted the office. Mr.
Sudell observed that perhaps
there would be very little
to do; Withop said, if so
it would be well; but
but if there happened to
be a great deal to do,
it would be to his cost.
Some few hours afterwards
Mr. Sudell observed that
he had been right in
allowing himself to be
retained. Mr. Ricard told
Withop several times he thought
he was capable of doing
the Law business for Gort
until they found some one
in whom they could confide
as Attorney Gen. He also said
he would recommend him
to this Majesty as the
Person for the purpose.
Mr Ricard at a subsequent
period, renewed the subject
in spite

when with[illegible] observed he would rather have a moderate retainer to appear in certain cases, than be retained for all cases civil and criminal. He felt it would be a very heavy responsibility. Has heard an opinion expressed by several persons that the effect that thing. Thought the policy pursued by Mr. Judd, whom they looked upon as the master spirit in the Govt, was not to the advantage of the King or country. They thought his policy ought to be enlarged and made more liberal. Has heard it said that Mr. Judd's conduct in some instances was calculated to affect the personal credit of the King himself. Could not say that the feeling was general; it might be or might not be. Has heard it said

C&H

by several persons at different times that Dr Anderson in fact kept, and that the King did & Chiefs did nothing which he did not sanction. Could not say how far such remarks were instigated by personal ill-feeling.

Cross-examined by Mr Judd. Witness could not recollect any instance in which Mr Judd had gone beyond what he had a right to claim, from him in money matters. ~~Could not recollect any general behaviour of this~~ ~~matter.~~ Felt that under the circumstances the unusual & very Rl order in favor of witness was a decided mark of disrespect to both of them. The impression produced on witness' mind was that a Record could be drawing and with power to grant a charge which the one had no right to draw and the other no right to receive payment for ~~such services~~ Feels sure there is no condition that foreign seamen must come within the days, only permission be renewed. Had not considered the subject in connection with the Danish Treaty. Should say the recording of a document was

C & H

no evidences of a wish
to keep it secret: the law indeed
the registry of a document
supposes a proclamation
~~of document to world~~
Has a general idea of the
causes of the failure of
the foreclosure of the mortgage
alluded to, in Saddlemire,
when attempted by Record.
Believes there were some
scenes in the Court house,
where Commissr Brown
was present. ~~Recollects~~
~~no other~~ He does not
recollect to have heard
from Mr Ingo the reasons
for the delay in the
foreclosure of the mortgage
lately. The only difficulty
in the way of a foreclosure
now is the ~~pre~~ resistance
made by Mrs Cooper, Saunders
from Mrs Little and by the
assignees. If Saddlemire
supposes the same obstacles
would have been interposed
at least as long as Mrs Hooper is supposed
12 months ago, the Belgrain
Contract was set up
incidentally by witness as
caused, as one of the
points in opposition to foreclosure.
the foreclosure of
mortgage is not regarded

C H T

generally as very intricate, he did not know that there were any particular difficulties in this case, although there are some questions of law involved which do not come up in ordinary cases of foreclosure by ~~such cases~~ He does not know that the foreclosure was delayed till Mr Bates should arrive. Did not know till a few days before proceedings were commenced that there was an intention to set about foreclosing the mortgage; could not say how long it was after the arrival of Mr Bates. Does not recollect exactly the words used by Mr Judd on the occasion of his taking up the case for Mr Parks and others; does not remember whether he used the words 'sorry' or not. Could not say whether it was more in disappointment or not, that Mr Judd spoke. Is confident he mentioned the sum of $800. as a retainer, may have afterwards mentioned $1000. Feels that he could not have made

C.A.H.

" it profitable to have taken a fee of
" ~~money at the rate of~~
£1000 per annum. But
should have left himself
at liberty to take up
civil cases where Govt
was not concerned.
~~Had Mr~~ Heard Person ~~Mr~~ Judd
in connexion with his taking up Lupis's case
~~made these remarks~~ that he
did not see any impropriety in
~~Counsellors~~ ~~in~~ taking up cases even
against Govt.
In regard to the opinion expressed
~~in regard~~ in relation to Mr Judd's
conduct affecting the
private credit of the
King he would say
that a clerk in the employ
of Merkle & Anthon presented
a bill for a small
sum, about £11 for
which ~~he had sued~~ as Paipu Entitled he declined.
issue ~~or~~ it had been
presented to Mr Judd
for payment who refused.
Witness spoke to Mr Judd
who explained that the
debt had been incurred during
the Chamberlainship of
Kekiahonui, and must
have been presented
before a certain day,
~~& had not~~ made mention of some notice
the bill is still unpaid.
Witness understood that, a
Writ

on the article shewn,
sample of some Cranch and
was shown to Dr Judd before
it was purchased, who ordered
the man who shewed it to
him to buy it. Should
say it was the duty of the
Chamberlain to pay Such
bills and the money ought
to be paid in the Treasury
Office. This is the only
instance within my knowledge.

By Mr Robertson. Witness
was of opinion so far as
he had an opportunity of
knowing the feeling of
the foreign residents upon
the island, that the
opinion was general
that the official act
of Dr Judd was injurious
to the interests of His
Majesty and the Govt.

Wm. P. Jasper

" "

Mr Judd, moved the
board to order the witness,
Mr Lucas, to answer a
certain question

Dont
A "

(remainder illegible)

The Commissioners then adjourned till Monday the 11th inst. at 10 o'clock A.M.

Colt

Palace 14th Dec.r 1848
10 o'clock A.M.

The Commissioners met again this day, a readjournment having taken place by mutual agreement on the grounds of all the Commrs being engaged on other matters of great interest to the Govt from the 11th inst to this day.

It was noted, after the subject had been considered, that Mr Jasper should be required to give the names of the parties alluded to by him, as requested by Mr Judd; and that the Collector Genl's Quarterly returns be called for, as requested by Mr Robertson.

Mr Jarrett sworn by the Registrar & took his seat as Chief Clerk in the Treasury Department. Has been employed for about two years. During that time Mr Judd has directed the Govt affairs. Remembers Mr R. von Pfister, advising for an auction license for the month of June about March

Ce Gut

last. Mr Whittier told with that Mr. Judd had promised him he should have it. It was then past the time for giving auction licenses. Remembering Mr Robertson asking Mr for his legal opinion on that point. that he might show it to the Minister of the Interior

Mr Robertson filed the opinion the privilege him in consequence by Mr. Jarp. under date 7th March 1878, on account of the first opinion given there in.

Mr Robertson, Mr. Robt. Boyd told with he had applied to Mr. Judd for an auction license, but Mr Judd had not given him a distinct answer whether he could have it or not, but he left

Doct. marked A 12

expected he would get it. Rumbold says from Mr. Robertson that Knapp had applied to him for the license according to a promise of Mr. Reid's and was disappointed because he did not get it. Mr. Field generally gives directions with regard to horses and other properties to be employed by Govt. Has never seen any body else give directions in regard to such matters; both is (Mr. Reid has now done it generally he (with) has been in the office. The Minister of the Interior Finance made an agreement with Gros Ventres to kill the Govt cattle. There is a written agreement to that effect between them now in the Finance office. The minister of Finance gives orders and directions with regard to the purchases in the Govt stores. He directs the selling of provisions

C.S.H.

received instead of money for taxes and Govt dues. He sometimes gives written instructions to persons on the islands with regard to Govt property. He does not always preserve copies of these instructions. There are some of these instructions copied in the letter book of the Treasury Office. He sends instructions to Wm Beckley in Hawaii for one. Mr Judd some time ago made an agreement with James Robinson to provide lighters for the wharf.

Mr Judd stated his objection to Mr Robertson travelling and the specifications are in writing amounting to about 175 & otherwise that they be put in writing.

Mr Robertson denied the

left

* He wishes to send this order for Mr Robertson because he has taken charge of the Custom House & wishes to have the Govt in one in town in the Custom House for the

this Specification is
a blank time and inserted
the words "and in Mines" also
matters to be established by
Evidence: One
of the ~~the~~ charges was that
he was entitled to mine
he was doing on Govt
property: it was upon that
point that he was now
endeavoring to elicit
testimony.

Examination resumed. The
question to Wit. Robinson to
which was at the Treasury Office
Mr. Judd made ~~a~~ similar
a present with the Rule
for another date. Here is an
affidavit with him also in
the Treasury Office. Mr. Judd
gave permission to a man
called Parsons to cut the
bark from the trees in Manoa
the first part given by Doe
finds fair this permission
to cut bark for private
trees as well as those
belonging to Govt. But
~~that last~~ ~~affidavits~~ ~~created~~
~~not~~ a new paper, made out
to date

afterwards: it was signed by both the Minister of the Interior and the Minister of Finance. Mr Ind drew up both documents. He never saw Capt. Kept. Has seen the minister of Finance buying land & different parties for Govt. and paying for it out of the funds in the Treasury. Knew of 2 or 3 buying land from Manini. Only mentioned of one piece. Manini got $800 in cash for land and the balance about $400 in cattle. It appears in the Treasury books so far as the money is concerned but the cattle are not entered in the books. The account with Manini now stands $800 to his debit, and nothing to his credit. The cattle for $800 does not show for when it was paid; witness did not know when it was so, he gave Manini $800 and charged it to Govt

to him. Recollected Mr. Ludd buying land from Elia Kukia, the judge in Waikiki: that was not long ago. Does not think there purchases of land [illegible] the Board of Commissioners, but that could be ascertained from the records. Mr. Ludd has been in the habit of supplying Mr. Metcalf with money [illegible] lands at times. Metcalf was paid at the Season. The last order Metcalf brought for money was from the Minister of the Interior: there was one or more orders from the Board of Commissioners, and one, to the best of witness' recollection, from the Minister of the Interior. Mr. Paty had some words stored in the small room [illegible] the yard about Mr. Ludd's house; he had the entire use of that room for some time, recollects that Gast had some [illegible] in it at the [illegible] Witness suspected the Minister of Finance gave Mr. Paty the privilege of storing his [illegible]

Afternoon's session

C. P. H.

Mr. Pate never paid storage
for that room. There are
now documents such as
leases, bills of sale, title
deeds etc., belonging to the
Missouri of the Interior
~~Dept~~ in the Treasury Dept.
There are a good many
such there. There is two or
three instances, when the
Minister of the Interior was
not there, ~~open letters~~ seen
Mr. Judd open letters addressed
to him. Has often heard
Mr. Robertson say that
Mr. Judd was in the habit
of interfering with him in
his business. Has heard
Mr. Robertson say that in
consequence of Mr Judd's
talking to him & from
him he has often been
idle when he ought
to have been busy. Recalls to
there was an execution issued
against Mr Ladd's property
in favor of Dr. Judd. Recalls to
Mr. Ladd coming to the Treasury
Office together with Dr Lee
C.H.

at that time. Mr. Sadler came there to beg of Mr. Judd to prevent the Marshal from going to his house just then on account of the feebleness of his wife's health. Mr. Sadler pressed Mr. Judd very hard to defer the thing a little on those grounds, and that he might make some arrangement. Judd did not grant the request, he told Mr. Sadler to do his duty. Bishop should say the remarks appeared rather harsh at the time, he could not recollect the precise words. He recollected the man who built the 'Catharine' applying for a small loan at that time also to Mr. Judd. The man afterwards called with the offered security for the amount he wanted, namely £30. Should this be called for? I think before he received a definite answer. The answer was, there was no money to spare; however to lend; could not lend it to him. The answer was rather abrupt; at least it was blunt and plain; very straightforward.

The manuscript was much disappointed and I don't too; thought he had cause to be so as he had told with that Mr. Endicott had promised it to him. There was about $3000 in the treasury at that time. Recollected Mr. Summer doing some copying sheets before he left; it was taken with him; with it, it was some law papers belonging to the Navy department. Mr. Endicott told with to go to Mr. Summer on that occasion. There was no understanding on the part of Summer what he was to get for doing it. There was a good deal of it. There were ~~two sheets to be copied nine times~~ nine copies of about two sheets each. Mr. Summer ~~was~~ rendered a bill for his work; did not recollect the amount. He did not

Get paid for it at that time.
The reason for not paying it
at first as alleged by Mr. Judd
was that he charged too much;
the law only allows $1.50 per copy.
according to the Act of ... but
he had been called by error
to charge what was right;
there was an agreement to
charge according to law.
Witness could not like to
do the same work for less
than $3. for each copy. That
bill was paid about 5
or 6 weeks ago, it was
brought in by his wife. Mr.
Sinclair was very much put
out about it before he
left; he was very wild about it.
Mr. Anderson some time ago brought
an order ~~for payment for his services~~
~~as witness~~ he expected ; it was drawn
by Mr. Lee as President of the Board and Comptr;
amount of $250 ; the
order was not paid when
presented. It is customary
to pay the orders of the
Board Commissioners when
presented. That one was
not paid because Mr. Judd
denied it was not s...

C.F.H.

'Arbeit macht frei'. There is an appropriation for the expenses of the Land Commissioners. Mr Andrews said at the time that he was very much in want of the money and was relying upon it to pay some specific demand on him. He expressed his disappointment, he said he wanted it to go on building his house with it, and expected it would be paid on presentation. Mr Andrews has since got the money, but it is charged against his salary. Mr Andrews is aware of that fact. The remark he made to me was that he thought it very wrong, that it ought not have been charged to the Land Commissioners. Mr James

Exhibit

Austin told with that he intended to apply to Mr. Judd for a loan, & with that did not hear him make his application, but he told him he did not want a loan. Mr Judd at that time held a note on Isaac Montgomery in his private account. That note was within about 3 weeks of maturity, when Mr. Austin made the application. Mr. Austin did not succeed in getting his loan. Mr. Austin was at that time acting as agent for Montgomery during his absence in California. Withy told Mr. Judd that such was the case; and that he expected Austin would take up the note when it became due. Mr. Judd held some other notes as collateral security for Montgomery's loan amounting largely exceeding his. The amount of this note in suit ... Mr. Judd was about 1 year 2 mos, and the note left

93
Edwards v Austin

his security were for about
$5000. But it was a
private transaction and
with[illegible] did not think
it his business to enquire
very much into it. A
few days before the time
of maturity Mr Austin paid
Montgomery's note. The note
held as collateral security
were not delivered immediately.
Mr Judd had some doubts
about his being agent
for Montgomery. Mr Austin
offered to give his receipt
for the notes if they were
given to him. Mr Judd
seemed inclined to keep
the notes on the ground
that he did not know
whether Austin was Montgomery's
regular agent; he wanted some
proof: perhaps he did
not consider Mr Austin's
receipt sufficient.
Withy asks Mr. Lester and
perhaps Mr Bates whether
it would be proper to
[illegible]

pair of the notes on receiving
Mr. Austin's receipt. Mr.
Jaspar said it would all
be clear yet enough. Witness
went to the Polynesian office
and found a hand bill
dealer & Mr. Austin & Mr.
Montgomery's agent &. Mr.
Judd advised to part with
the collateral security rather
reluctantly, still having his
doubts about the propriety
of it: Austin had no power
of attorney; & did not
produce any; he had
nothing but the notice
printed and bearing
Montgomery's name. The
collateral notes were
signed one by Kekauonohi
in favor of Montgomery
for about 3 or 4 thousand dollars. The 5
William Jones was the
surety & another for about
$1000. Besides these was
also one signed by Austin
for about $1000. He did
not remember that any
of them were over due
at the time.

C. J. H.

Recollected Mr Judd speaking
to Withey at the time when
Austin applied for a loan,
and asking what the Austins
meant to take up the note,
with which he had been charged,
and Dr. Judd said probably
he wanted to borrow the money in order
to be able to retire the
note. Mr. Austin told Withey
that Mr Judd said at one
time he could have the
loan, but afterwards refused
from the promises also
heard the same thing from
Mr Judd himself. Mr Austin
said also that he had
offered a note signed
by Austin and Bacle, and
a mortgage on their property,
if the notes were given.
Withey met Austin a
couple of days
afterwards when, he
said he thought the
reason he did not get
the loan was, that it
would put him in a

left

position to take up Montgomery's note in favor of Mr. Reed &, and thereby be enabled to demand the collateral security. There was a mortgage of Selleck Hall's full due in October last at the Iowa Bank. The amount was $4000. It was a mortgage on property where Selleck's lives closeby the water side, called Keketiini yard. Should think it was worth about $1000, houses and all: thinks it was worth that in Oct. & $4800: it is now worth perhaps $3700. Selleck was called at the Iowa, a month or week before it fell due. Mr. Reed warned him that the mortgage would shortly fall due; understood him to say, that if he did not pay the money his land would be forfeited; afterwards asked Selleck what Mr. Reed had said to him. Selleck told him the same thing: Selleck brought the money in payment on the very day it became due. He got the money from

C. L. H.

Capt Jno Reed. There was
an over due mortgage
of Robt Boyd's laying
in the office at the same
time: it was 5 months
over due. There was also
one of ~~two~~ Nonphisters
that lay for 7 8 month
or thereabouts over due;
that was lying there at
the same time. Remember
Capt Antonio applying
for an increase of
wages: he applied to
Mr. Judd. Mr. Judd told
him that he could not
demand any more pay
as he had an agreement
with him for $15 per
~~month~~, half cash half
~~goods~~ trade. Mr. Judd
did not produce that
agreement: with he has
never seen it. Mr. Judd
searches the office for it.
He was about 3 hours
searching the office
for that document.

While he was looking for that one he destroyed some other papers did not know what they were; they might have been old papers, couldn't say. The crew were paid $8 a month, half cash half trade. Pikai furnished the part that were paid in goods out of his store. He allows a discount of 15 o/o on the amount paid by him in goods in favour of the Seamen. Had very often heard Capt Antonia complain of the exorbitant prices Pikai charged him. If Pikai did not charge exorbitant prices, did not thieve, he could afford to take off 15 per cent. Mr Young appeared very much dissatisfied about the small pay Antonia got and the way he was paid. Mr Swainson generally pays the masts of his vessels $30 all round; to his foreign masts and some of the native also; he gave to some of the natives $20

Cap. Hamilton

a month and boathire $30, according to their capabilities; thought he would be glad to get Capt Antonia at $30 a months. had told that at the time when Antonia applied for higher pay, Mr Judd tried to get Capt Hare from him then situation to take Antonia's place. Heard from Jno Hall that Mr Judd had told Mr Pickard to carry him. (Mrs Kaiser) on board the schooner Kamehameha and make him Capt. This was in presence of Mr Pickard Son. Think Antonia by far the most capable man of the two.

Adjourned till tomorrow the 19th inst at 10 o'clock A. M.

C. G. H.

Doc A 13

Calais 19th Decr 1848

The Commissioners met again at the hour appointed.

Mr. Robertson's request that certain books be called for, for use during the examination of Mr. Garrett, was considered and granted.

Examination of William Garrett resumed. The witness wished to correct an error in his testimony given yesterday. He had found since, that the Minister of the Interior had never given an order to Mr. Metcalf for his pay for surveying land. Mr. Wittrop copies into the letter book of the Treasury Office a letter written somewhere about the 10th of August last by M. Dillon the Consul of France, containing expressions derogatory to Mr. Wyllie, the Minister for Foreign affairs. That letter stated that Mr. Wyllie was intriguing with other persons to destroy the independence of the Islands and make them over to England. In that letter M. Dillon recommends Mr Judd

C G.A

to take charge himself of the ~~office~~ post of Foreign Relations. Has heard Mr Judd answer Mr. Wyllie rather short on one or two occasions — rather laconically.

Mr Wyllie with permission of all parties asked the writer of the letter in the name Mr. Dillon recommended something for the, with regard to the new ~~Ministry~~ Govt service that Mr. Dillon stated the writer replied, that Mr Judd could take charge of the Foreign Department; that Mr Paty should be made Minister of Finance, that Mr. Bates should be under Secretary of Foreign Relations, and that Mr Judd and Mr Dillon between them should select the new Collector General. That the letter was dated 8th or 10th of August, and is signed by Mr. Dillon and marked private.

Ent

In reply to questions by Mr Robertson the witness further testified that Mr. Ludd opened one or two of his private letters, under a mis apprehension that they were official. The letters were from Mr Swinton and lying on Mr Ludds table, and looking like official letters he opened them. Has seen Mr. Ludd treat people rather harsh at times; could not mention the instances perhaps 20 times, but remembers to have seen such instances. Has acquainted with Seleishaltun for several years. Repeatedly told with that Mr Ludd had persecuted him and taken away some of his property. Has seen persons discharged from foreign steamers come to the Ministry of Finance and ask permission to remain on the islands. Has seen several; it was quite common. Believes that Mr Ludd used to write in native on the back of their discharges a form of permission for the Governor to sign. There

C.J.H.

is now in the Embassy of
Mr Robert Davis a young
man who got permission
to stay here in that way
has known the Ministers of
France to give directions
with regard to a field piece.
Can not exactly say whether
there are instructions contained
in a letter from Mr. Judd
to the Govt, in relation to
the military, the letter being
in native, but it can
be referred to. The
field piece is now kept
in the fort, it used to
be kept in Ariamii the
Govt stores. Has heard
Mr. Judd give instructions
with regard to the prisoners
in the fort, with regard
to their conduct. Has
heard him give such
instructions to Mr. Pritchard
since he has been
superintendent.

See letter book

C. Bell

Parker also gave orders to
Timmerlake about the business
in Nevada, i.e. where they
were to work etc: There is
on file in the Treasury Office
an agreement between
one Lemmon and Dr. Endell
for the mare of the field
piece. Mr Endell purchased
some 3 or 4 months in August
lease from Williams for a house
lot from A. Parks. He bought
it for the Government. Has
not seen any document
in the Treasury Office showing that
that lease now belongs to
Govt: in the State of Nevada
of sale or other form. Should
think that a loose and
informal way of doing
such business. Was clerk
for Mr. [illegible] in Sacramento
before he came to be
in the Treasury Office.
Recollects there was an invoice
of goods came up there (Nevada)
in 1864 from Mr Parks to
be sold on account of
Mr Parks and Dr. Endell.

L. Gist

has seen Mrs Paty bring in many bills of merchandize purchased ~~for the Govt~~ of Mr Paty by Mr Judd, since he has been in the Treasury Office. The bills are on file. They were generally paid in cash when presented. Mr Paty once told witness that he charged a Commission on some articles sold to Govt out the "Rising Sun"; he charged that to ~~Govt~~ himself from Govt: he said at the same time that he generally charged the Govt whatever he paid himself. Remembers his selling a ~~lot~~ lot of such paper as Mr Robertson held in his hand ~~paper~~ to Mr Judd. There were 38 reams of it. Was told by Mr Robertson, the auctioneers clerk that he made a dollar on each ream. When persons purchase largely at auction they generally get credit or discount for Cash.

Chst

In addition to any profit he might make by selling again at an advanced price, Mr Park would also have the advantage of the credit allowed him on his auction purchases ~~sales~~ but in one of two instances with which I am acquainted Mr Park had made an allowance to Govt on that score. The salaries of Parkes and Kanowna have been anticipated during the last year and they are stated at present. Parkes is now about £600 in advance of his salary and Kanowna about £200, so far as with which I could recollect. The Collectors Generals quarterly returns do not show in column of cash due the Treasury at the end of the quarter. Mr Park does not pay in or fill the column due the Treasury at the end of each quarter as required by law. Mr Hanks succeeded Mr Rhodes as Clerk to the Collector Lambert. Has been told by Mr Hanks while he was in that

C.P.H.

situation that the cash account was never balanced while he was there. Hanks called with me one or two occasions when Mr Party had called & left the key in the money chest and gone away leaving his office door open (while he [Hanks] was gone to dinner.) I could not say what Mr Party was doing at such times; he was out somewhere; might have been gone to an auction sale. Mr. Hanks told with me that Mr Party took money out of the chest when his private money was mixed up with Govt money, when he required it, and that when there was a good deal of money on hand they paid part of it into the Treasury. Remembers a bill being presented for payment

6 Feb

at the Treasury Office about 7 o'clock for the amount of $1000, drawn by Mr Bates in favour of Mr Hill of Boston; and presented here for payment by Mr Castle. The amount was paid to the credit of the Mission in the books of the Treasury Dept It reads thus "Appropriations Account, &c. &c. Sandwich Island Mission. A B. Bates' draft in favor of Mr Hill of Boston for $1000. by order of the Board of Finance" ~~or words to that effect~~ Mr Bates' pay commences on the Treasury books on the 23 of June 1848. He arrived here on the 28th of June 1848. With regard to the purchase of the lease of Parkis' ~~above alluded to~~ it does not appear on the books to have been done with the sanction of the Board of Finance. Remember Mr Judd paying Charles Kanaina a sum of $1.

C. H.

money on mortgage some two or three months ago: in August or Sept: it was $1300:00. There are one or two bills of sale of land sold by John Stevens & the Govt now in the Treas Office. Which the land or one piece, was taken on account of a mortgage for $200; the other piece was bought since: the entries appear on the books. They were bought by Mr. Biddle for Govt. There are also entries on the books for rights in land bought for Govt, one of which amount to one of Dr Norman. In the accounts they are specified as purchases of real estate in the ledger. There are also deeds of sale in the Treas Office for these lands. Rundlett & Mr. Brickwood being paid in July 1847 a sum for money [illegible]

for secret service: that also appears upon the books. It is charged to the account of Incidental Expenses. Mr. Brickwood was employed by Mr. Judd on that service. does not know what the service ... He carried a spy glass with him from Honolulu to Kauai. Mr Brickwood intimated to Withington in private conversation that he had been employed at other times by Mr Judd on secret services. Recollected a letter asking in which the Treasurer (letter) to about grants an advance of $500 to Rhoades & Co for a sailing machine. Not a dreamer ever before with came into the office, cant recollect whether he ever came the office in the books. The long wharf that fell down was built with Govt money on 1000 Judd's lot. It cost about $700. as near as he could recollect in building. It is intended in the ledger in the account of wharf No 1 or

C.G.H.

did not exactly remember which. The Bremen ship 'Patriot' was lying at the wharf when it fell down. The Govt never recovered any damages from the Capt of that ship (Mensing his name) for the damages done to the wharf. The Govt made a dead loss of the money expended in building the wharf. It was the general impression amongst capable men that it was badly built in the first place, and fell down in consequence of being badly built. Believes it was built under the directions of Mr Indian himself. Capt Mensing complained that he had lost a good many articles by the falling down of the wharf. Was told that Mr Indian afterwards took away some clothes from some

Clift

natives who dived and picked it up from the spot where the wharf fell. This the wharf fell down during last fall or the beginning of the spring. Believing that Bro Ludd made application to the Secretary of the Interior for the purchase of the wharf at Wat for $350: thought the document as signed was in Bro Roberts hand writing. When that document was signed, Bro Ludd appropriated to himself the $350. That bill for sale was made out in February last and is now on file in the Treasury Office. Previous to that date no wharfage seems to have been charged for the use of the wharf that is now gone to Govt account. Capt Pendleton collected the wharfage. There are some of his accounts on file in the Treasury Office. The wharf was afterwards rebuilt in

Capt

quite a different way at Govt expense: instead of one it was made into three small ones. This was since the sale to Govt. Mr. Jarvis had said previous to the deed of sale being executed. About the time when the bill of sale alluded to was made out, Mr Judge proposed to Mr Gray another bill of sale binding the Govt to pay to Mr Judge for the other wing, £ lot £1000 per annum for it from the 1st Nov 1846. That bill of sale is now in the Treasury Office. Does not recollect for how many years that document binds the Govt to pay £1000 per annum. Believes it is for a specific time. Should think these documents were made

out with an unusual degree of secrecy, that is in case they did not pass the board of Examiners: but ~~they~~ ~~are~~ the transactions appears in the books of the Treasury. The deeds filed are amongst others which belong to the Interior ~~office~~ Department. When that contract was signed Mr. Ludo immediately appropriated to his use $1000 from the funds of the Treasury deficient. The entry reads "Land Rent Dr to Cash". This sum pass to G. P. Ludo for one years rent of wharf from Novr 1st 1845 to Novr 1st 1846 $1000. That was as near as with could recollect. In Oct last, the 31st day of the month, Mr Ludo appropriated to his own account another thousand dollars which was entered in a similar manner. The entry says for one years rent: it does not say for the second years rent. In every quarters account but the last Mr Parks

C. G. H.

changed the Treasury with
$625 as his salary as
Collector Genl and
Auditor of Finance; in
the last quarter account he changes the Treasurer
but as being his signing as
for Collector
Genl alone. His salary
in the Books of the
Treasury is entered under
two heads; one as Collector
Genl and the other as
Auditor of Finance.
Recollected the Minister of
Finance at the last
meeting of the Legislature
bringing to the Office
an annual appropriation
list. When that list was
brought to the Office it
contained no appropriation
for the Auditor of Finance.
The list was altered so as
to get in $1000 for the Auditor.
This was effected by erasing
a figure and increasing
the amount of the appropriation
by one thousand dollars.
After the erasure had been made

C.B.H

and the amend allowed with
extend it on the back by
order of Mr. Judd. Before the
amend of the appropriations was
altered, the list contained
an appropriation of $1500 for the
Collectors Guards salary,
the salaries of the two officers,
Mr Swinton at Kahului, the
Custom house guard and
perhaps a three months
in all to $6000 for "Salaries."
That list was made from
an estimate furnished to
Mr Judd by Mr Robertson.
The names of the Kiai and
Premier were attached
to the document before it
was brought to the Office as having
past the Legislature. The
schooner 'Louise' was lately
repaired out the expenses of
the Govt. The repairs cost
about $600. She got on
shore on the other side
of this island where
she went to for fire-wood the
private property of Mr Judd.
Mr Judd bought the fire wood
at sheriffs sale for $1 pro cord.

C. G. H.

Loading and carrying fire wood is considered as very hard on a new fella. The 'Louise' was left with the Gal as a substitute for the 'Kamehameha'. Should this Mr Underwood not have sent the 'Kaahumanu' to the same place for fire wood. At the time when the 'Louise' was first employed, coasters between this and Maui were very scarce and in demand. Communications were very seldom in consequence of the scarcity of vessels: most of the large coasters had gone to California. ~~Friends to the Mrs had to~~ cannot say: what Mr Judd in justice ought to pay for the damage. She say it was very hard for Gent to pay. The case has been made the subject of a Law-Suit. The Govt sloop 'Maka Ala' has also been employed in bringing round Dr Judds fire wood; the same that

H.G.A.

be brought at auction. Before the Board personally employed in going to Hawaii for produce belonging to Govt. She has been employed about 5 or 6 weeks, in bringing round the fine woven ~~Mats~~ Does actually think there must be at the time produce belonging to Govt ~~going~~ to waste on Hawaii for want of a vessel to bring it down here. Has often heard Mrs Greene and Mrs Kenway say that a good deal of Govt produce went to decay for want of care.

~~Adjourned till~~ It was voted that Mr Wyllie be furnished with a copy of the 'Specifications' so far as related to Mr Judd receiving a letter from Mr Dillon derogatory to the character of Mr Wyllie, and of Mr Jarrett's evidence on that point.

The Commission then adjourned till Thursday the 21st of Dec at 10 o'clock.

Capt

Palace 21st Dec. 1848

The Commissioners met again at the hour appointed.

Examination of William Garrett resumed. Believed Mr. Judd sold his flock of cattle in Kauai in Sept. 1847 Thought he received about $2000

Mr. Robertson said I was about to file a letter dated 13th Feb 1847 from Mr. Judd to Mr. Young requesting the receipt of the vote of the Board of Finance being obtained before the Minister of the Interior could buy property of Mr. Judd's—

Mr. Judd objected to the introduction of the letter in that form. He denied the right of Mr. Robertson to remove the documents belonging to the Interior Department without orders from the Board or consent of Mr. Young.

The Commissioners sustained that objection.

Examination resumed. Since the cattle were sold Mr Judd has been in the habit of receiving butter from the man who has charge of the flock on Kauai. Has seen such packages of butter come to Mr Judd frequently within the last 12 months Part was taken by Mr Judd for his own use and part sent for the use of the King. Knows Black a foreigner who is building a stone fence around Mr Judds enclosure at Pawaa. Has heard him say there is a lot of cattle there belonging to Govt and another lot to Mr Judd; he gives daily one pail of milk for the use of the Palace and another for the use of Mr Judd, and the remainder he receives as pay for building the wall. Part of the wall is paid for is for Govt and part for Mr Judd. Vanbergen was formerly paid for similar work in the same way. Does not recollect any charge against Mr Judd in the books of the Interior for teams used at

C.C.H.

(though there are for teams used in Nuuanu)

Waikiki. ~~Cost [illegible]~~ ~~[illegible]~~ There are ~~many~~ charges against him for work done by prisoners on his lot ~~at~~ in Nuuanu. Understood from Kinimaka that they had been at work there. Dr Judd at in the Treasury has been over-drawn about $600 or $700 last year. In the latter part of the year, cannot be precise as to the months. He was absent $800 in advance. Since witness here Lein in the Treasury office has often been to Mr White borrowing money. Does not know any one else who received loans at the Treasury so often as he did. Recollected Dr Von White being employed on one time to try to negociate a loan for Carnarvon at the Treasury. Has heard an opinion expressed by several and thought so himself that Dr Von White could obtain favors at the Treasury office which would not be

Adj

extended to any body else. 172
Has seen an entry on the treasury
books of the repeal "Keaau",
forfeiting the property of Lelei o Koka
to the Govt. Believes it was
dated sometime in August 1846.
The entry reads "Govt realizations
by schooner Keaau, amount
of purchase of said schooner
from Wm Pitt Lelei o ka Ra
$3000." It does not show
any cash or bills or any
thing at all that he (Lelei o ka)
sat for the repeal. The Govt
sold her for $3500. She was
sold to Jeremiah Martin
Has never seen any bill of
sale, of that repeal signed
by Lelei o ka. Believes
that in looking over some
papers a long while ago
he saw a paper in some
way relating to the repeal;
a bond perhaps, but being in
ventured he did not examine (to)
it. He has not seen it lately.
It may have been abstracted
or it may have been destroyed;
he could not say which. He
thinks the paper is not in the
office now. Lelei o ka Ra complained
to H

three of four times that Mr
Judd had taken his respect
from him. Mr Patz were
employed in appraising
some piece of land some
12 months ago. He got
an order from the Land
Commission for $20, it
was not specified for what
but supposed it was for that.
does not remember a single
instance of Mr Patz' having
been employed in disposing
of Govt property received
for taxes and dues. Has
himself been sent on that
business sometimes. Some of
the produce such as hides
goat skins etc were in
very bad condition sometimes
when sold had occasion
to see them. Remembers
that on one occasion when
Mr Kenway was buying
goat skins, three or four
thousand had to be
thrown over the wharf
on account of their being
rotten. Net Cup was decided
by lots name A and

E.F.A

neglect, as he should suppose Pickrell had charge of the stores there and has still. He acts entirely under the orders of Dr. Judd. Capt Lindsay told with and Mr Robertson about one month ago that ~~was~~ an immense amount ~~of dollars in~~ of good property was waste on Hawaii for want of care and somebody to look out for it: it was pilfered and allowed to go to decay. Has heard a similar statement made by Lanzada a sugar planter there. Capt Jones who only came down from Hawaii a few days ago told with the same thing. Dr Judd has the entire management of the govt property on Hawaii as well as every where else. The minister of finance seems office in payment of taxes at 20 cents to the pound; it is sold again at 12½ generally. It was never known by virtue to sell at above 16 cents. Believe there is annually a large amount of Govt property lost for want of care and attention. ~~On~~ During the first

to P.M.

12 months that with J. was
in the Treas's office, Mr.
Judd was away a good deal
and with J used to understand
his wishes some transactions,
at least he was told to
say so. Has known him
frequently to purchase what
he should call useful or
worship articles: such as
old buttons etc: something
here. Purchased for Govt.
which with J considers
worship: they have been
lying in the store room
over 6 months and are
there still. Has seen Mr.
Judd purchase goods at
auction for Govt. and put
them in the Govt store and
select what he wanted
for himself which he
took at auctions prices.
Mr Judd has allowed with
the same privilege of taking
what he wanted for his
private use. Should
think Mr Judd got articles
considerably cheaper that
way than he could any
where else. In one or two

Off

instances he thought the goods were bought rather for the convenience of Govt than for any necessity. The Govt paid for them. Mr Dodd has lately been buying a quantity of cloth for the militia of Williams Lk. Believes the militia dues by law under the Govt. who is under the Minister of the Interior. Mr Indeed did not ~~buy~~ obtain an order from the Minister of the Interior before he expended that money. Recollected Mr Greenen's wheeling scheme - it was a scheme to create wheelers off Diamond Head. The Minister of Finance advanced him about $500 to make his preparations. That is to say Mr Parke bought a quantity of boat wheeling gear etc at auction which he handed the use of. If Van Bergen will pay a note of $175 which he owes, the Govt will lose nothing by that affair. The interest is included in the note. Does not think there is any prospect of the note

being paid for a year or two at least. Pankuyen is miserably poor. Has never seen or heard of a whale being seen on the ground selected by Freeman, except from Freeman himself. Says it a wild foolish scheme or a crazy man at the time. Never thought Freeman was very sane, he was a crazy whaleman. Without including the prison labor, the money expended on the Pali and Nuuanu road amounts to about $15,000 in the last three years, that includes board for prisons, materials etc. Heard the average of prisons employed all the year round was 80 per diem for the 3 years. Has once or twice seen them at work up there. Thinks it was a waste of labor and materials. Thinks the road on the left

Pali is not properly graduated, that it is not in the proper place. It has been within the last few days that it is nearly destroyed again. I hear so from Dr. Jaspers. There has been a considerable amount expended on the other roads in Nuuanu, those about Dr. Judds place, above and below. The working of those roads tends to enrich the value of Dr. Judds property considerably. Whilst these roads were made, the roads on the east side of Honolulu, about Waikiki, have been in the most miserable conditions. It is by Dr. Judds directions that the prisoners are employed in Nuuanu; heard he. at least from Kinimaka. There was a sum of twenty dollars paid by the Queen on short time ago. by Dr. Jones of Lahaina. Believed it was for writing. He was writing in Dr. Judds room about 2 days. It is not usual to pay at that rate.

to be

The Goat sepls have not
made money during the
last two years. Since
the commencement of the
present financial year,
about 8 1/2 months, the
Kawakawa has cost
about £100. per month.
In the same time about
£60 a month has been
saved upon the Goat
sloop "Maku Oka". Realized
a parcel of sails being
made some time ago for
the Kawakawa out of
hand canvas. Buckland
who had the making
of the sails told with
the canvass was completely
rotten: it was bought
of Skinner & Co. Has had
a good deal of
experience in fitting out
and managing vessels.
Does not think he ever saw
any sepls so badly
managed as the Goat

6/th

vessels. She would like his vessel were manned so. Had a small vessel of 8 tons when he first came into the Island, which brought him in about £75 for months for about three months. Recollected that Mr Isaac a short time ago had the Remembrance painted over with black varnish. Never saw the same thing done before. The books will show what has been taken on the Post vessels in the last three years. During the time that Govt has been losing money on their vessels, Swinton, Treadaway and others have been making money. Mr Swinton bought a small schooner for £3000 about 2 years ago and a few days ago she has cleared here and he sold her to Post Party. Recollected a bill for surveying land due to the Revd Mr Green of Main

The bill being for $88. Rec'd in 88 acres of Land

being paid him in land. Mr. Metcalf told with he had surveyed the same land and been paid for it, the said Mr Sneed never surveyed a foot of it. Mr Judd has appeared to his partial, ~~to with~~ he has appeared much more inclined to favor some than others. the disposes of the money belonging to goat as they. he did not consider himself bound to account to any one for his way of disposing of it. Thinks Mr Judd has often used the money as a means of increasing his own influence. Mr Judd had always been very careful that with and Jasper and Robertson and others should never over draw their a/c by a single cent. Considers that Mr Judd acted partiality by pressing Lafayette for his

Affd

money lent on mortgage while others were allowed to lie over to Lord. There is an account in the books called Goat Lopez. Cannot recollect the item excepting one of $2 to Blanch George. There was also item relating to Francis Funk and J Davis, one for about $130 and the other $60. This account was distinct from the Probit and Lap a/c; does not consider Mr Judd could keep the Lost books himself or instruct any body else to do so. Mr Ewer called upon Mr Robertson to assist him in making out his annual reports for the Legislature in 1847 and 1848. Mr Judd does not file away papers in the way that withy should like to see them put away. He puts letters memoranda etc in one pocket for each month. Land, leases bills of sale etc are kept otherwise. Does not consider Mr Judd an expert accountant. Has seen him make blunders in trying to enter things in the

day books. About $700 of articles bought for the palace were entered as incidental expenses in the books. That was the wrong account, but about two months afterwards it was altered and placed to the right acct. As with stated the other two thousand dollars paid to Mr Ladd for the wharf is charged to land rent, which will make the legal ~~acct~~ rent acct appear, ~~[illegible]~~ less in balance by $700 ~~[illegible]~~ than it actually ought to do ~~[illegible]~~ in the two years.

Cross examined by Mr. Ladd. Cannot recollect the number of times that Mr Ladd lent money to Mr Humphreys; recollects three or four times. Believes that in one case money was lent Rhodes Hs without additional security than

Ebt

their case. Remember once Mr. Judd spoke to Dr Van Phister
money that he wanted to borrow
for Purchased &c. does not
know that Dr Robertson had
any legal authority to call
upon Dr Lusk for his legal
opinion about auction licenses.
Never heard Dr Judd say.
he has promised Vanphister
an auction license: heard
it from Vanphister. Is not
clear that ##### he ever heard
Mr Judd say he had promised
Boyd an auction license.
If the law gives a power to
Mr Young supposes he might
delegate it to Mr Robertson; might
do the same to Mr Judd if
he were his clerk or writer.
Supposes that if Mr Robertson
had the order of Mr Young he
could then refuse Mr Boyd
the license. The law authorises
Mr Young to give the licenses.
Supposed at the time that
Mr Judd meant he would
intercede with Dr Young
for the party to procure him
an auction license. Sometimes
when Dr Judd promises he performs

C f t

his promises ; but sometimes
otherwise . Does not recollect
himself, to have heard
Mr. Judd promise a thing
which he did not afterwards
perform, but has been
told by others that he
had promised them money
which they never received
of him . He tells there are
a good many persons who
to suit their purposes
pretend they have been
promised by the King,
Chiefs or others. Does not
know that Mr Robertson had
any authority to take away
the permission given by
Mr Judd to a man to
cut back from trees in
Manoa The lot purchased
from Paul Manini with
believes to contain the
length of Kahikahi's place
along the beach . Compared
with the lots offered by
Mr Damon supposes it
was worth at the time
about $3000. Supposes
Mr. Damon wants about

$5000 for one quarter of the lot called Palenholahs. Which the land belonging to Manini "A large as one quarter of Manini land. If Russell puts down that very ~~land~~ bill it would be a good situation. Does not know the price taken by Mr Rowell and Mr Richards about the purchase of Manini Lot. It was often the case that Metcalf was paid for surveying and that afterwards the money was repaid the Govt by private parties. Has looked over the bills for surveying, part was by order of the Land Commission and part by order of Mr Everett. When Mr Parkes goods were in room No 4 the Key was left in the Treasury Office. Recollected Mr Richard having put three or four boxes of flour in the same room. Also recollects Mr Sclater's putting his goods there. They were paid for by Mr Parkes

C. F. H.

the parties using that room never paid. The room is now occupied by the constable, Kakea, he pays no thing. The goods that Jay & Torrance are generally put into the ~~store~~ cellar: there is plenty of room there. Withy was out of the room one day & when he came in Mr Judd said he had opened one of his ~~papers~~ letters, but thought it was on business. Has never asked Mr Robertson to bring at this charge on his acct. If Mr Judd has injured anybody it is Withy not Robertson. The matter is one of very little consequence to Withy. Mr Ladd came to see about selling the furniture: it was a private affair of Mr Judds, not a Govt business. Withy has lived with Mr Ladd from Oct 1840 till Sept 1841, 11 months he was in the employ of Ladd & Co. Left

Recollected Mr Lee coming to make a Demand in Mr Leidi name that a vessel should be removed from Mr Ladds wharf. Mr. Judd said to "Lee, I see you have an execution in your pocket why have you not served it: but did not exactly remember the words that past. As well as with respect to what Mr Ladd asked Mr Judd not ~~to~~ to send the marshall to take an inventory at that time as his wife was sick and it would discompose her. Mr Leidi said he had given in 1844 a bill of sale for that for ~~the~~ property to Mr. McClung. Mr Judd pronounced that transaction to be fraud intended to ~~defraud~~ injure his creditors. Was not in the office the whole time that the conversation was going on between Mr Leidi and Mr Judd. Recollected Mr Ladd was coming over the table speaking low to Mr Judd, who said to Mr Lee, do your duty

C. L. A.

thinks from what he has seen of Mr Ladd that no half way measures would be likely to succeed with him. It would not be a good plan to lend Ladd money to pay his debts he owed Mr Judd. It is Mr Judds practice when money is plentiful in the Treasury to lend out money for short terms. When money is scarce he borrows. He lends at 12% and borrows at 20% per annum. A difference of 2 per cent profit will cover the risk of these transactions. Does not know of any law for these transactions. Should suppose Mr Judd was responsible in these matters to the Govt. Does not consider Mr Judd fond of incurring debts. Has had to pay the masters and crew on board the Gal upon his bill in part and in full in cash knows that there was an arrangement formerly with Ladd

that

of the previous to the one with Pickard. Does not remember Kenney and Roberts applying for a similar agreement. The men and cattle are now paid in cash. Does not remember ~~Mr Co~~ Corbit Antonio to have complained to Mr. Judd of Pickard's prices; witness himself mentioned the thing to Mr Judd. It was shortly after that that the alteration was made and the men paid in cash also. Jno Hall himself told witness that Mr Judd had made him an offer to leave Sackett & Co. Jno Hall is addicted to telling lies at times. Mr Judd requested witness to make a copy of Mr Dillon's letter for that gentleman. Witness made it and gave it to Mr. Judd who asked him to enclose it, which he did and having addressed it, sent it to Mr Dillon. Returns Mr Judd made a short reply to that letter which is copied in the letter book next to it.

C.f.t.

Recollects there was no
letter of Dillons in which
there was an expression used
which Mr Judd demanded
he should withdraw. Does
not know whether that letter
produced any coolness
between Dillon & Mr Judd. The letter
book was lying in Mr Judd's room
for three years always and
Robertson may have seen, besides
which he had free access
to all books and papers
in the office at the time.
Can't say how Mr Robertson
knows Mr Judd did not inform
Mr Wythe of his having received
that letter, or whether Mr
Robertson knew that such
was the fact. Has copied
several letters from Dillon
Dillon from Mr Judd.
They have been brief and
to the point. Mr Judd
looks out for the prisoners
food: the bills for the road
prisoners and brought in
once a week, and the
foot prisoners once a month.
Mr Judd says he goes often up to

C. f. t.

Requests to see the book: with p 142
does not actually see
him p. Kinimaka is the
agent for purchasing food.
Believes Pikai used to buy
for 5 or 6 months after
with p came into the affair.
Believes Mr Judd employed
Kinimaka All aware of the
large amount ~~for~~ expended
by Pikai. Heard from Mr
Judd that the lease of
lands bought of Pelekai
was in the hands of Mr
Jarves for registry, but heard
from Mr. Jarves that they
were not. Asked him
about two weeks ago. Asked
Mr Jarves about Pelekai lease that was
sold to the Govt. There are
several papers in Mr Jarves
hands for recording which
he has had for some time,
which has been to ask
Mr Jarves about them.
Mr Jarves answered witness
from memory. Supposes Mr
Judd could get them by

C fol

demeaning them of Mr Jaspers. ~~that~~ About $50 worth of the goods bought at auction out of the Sri Srigapore were for Mr Judd; he afterwards took part of the trunks on his own account. after Mr Judd bought the paper of Mr Patty he sent writing to Williams Mr to see if they have any, writing put a complaint and told Mr Judd the price was $1150 per ream Mr Judd told him to go and buy all they had. He bought about 76 reams. Also enquired at Canaanes where price was $2 per ream. ~~Could~~ Could not say what is saved to Govt by Mr Judd buying papers: there would be a large additional expense if every officer native and foreign bought for his own use. Could buy on better terms here than

C. J. F.

by importing from England.

Adjourned till tomorrow the 22.nd instant at 10 o'clock a. M.

C. G. H

Palace 22nd Dec. 1848

The Commissioners met again at the hour appointed.

It was voted that the letter of Mr. Ludd to the Ministers of the Interior, dated Feb. 13, 1847 be produced from the archives of the Home department, and introduced as evidence on the part of Mr. Robertson.

Doc. number A 185

Cross — Examination of William Garrett resumed. Did not show the letter of M. Dillon of the 11th Aug. to Mr. Robertson or Mr. Coffin or any body else: never showed it to any body. Is not aware that he has been in any way instrumental to that letter being known. Does not recollect Mr Ludd having ever called upon Mr Darby, Collector Gl. for the actual balance of cash on hand at the end of the quarter. Considers Mr Darby was responsible to Mr Ludd and Mr Ludd to the Govt. for any deficiency there might be in the cash on balance. Mr Darby is a good accountant.

2 p.m.

Here is a very particular man. Considers
him an honest man. Thinks there
was an appropriation of $40 was
for the purchase of real estate
for the fiscal year of 1848.
$40 was paid to Whitewood
for secret services .. The broad
wharf that fell down was
composed of timber, stone, iron
plates and dirt to fill up.
Has been told that a part
of the materials of which it
was composed were lost. That
some of the iron bars were lost.
Heard so from Capt Clark and
Peikai. Does not know how
many. Thinks there were
two wharves made on the
rebuilding, not three as he
stated before. In building
the lower wharf originally
there was a great deal of
native labor employed. Does
not recollect the wages per
diem paid for it. Cannot
remember that any new
materials were bought for
the purpose of building
up the wharf again: there
may have been; the books
will show. ~~Stakes~~ There were
new ~~stakes~~ piles put down however.
Caravana asked $200 for
his half of the Kaahumanu wharf.

C.J.F.

The original building of the Brand wharf and the rebuilding of it have not cost £4000. The wharf lot sold at auction for £350 subject to yearly the rent of £100 per annum. with I was not present. Does not remember, not having been there, that Reynolds said at the time there was a mortgage upon it. But the way in which Capt Manning talks up the wharf with lumber &c. there was wood upon it, oil, anchors and cables and several other articles weighing perhaps 150 or 160 tons. This as wharfingers Capt Pinkham ought to have given orders to have those things moved off, as is customary. Recollected the Lord's Day and Summer making a written proposition to build the long breakwater in the harbor. Does not remember what they agreed to do it for. The breakwater built has cost about £300.

6 Ft

$4,000. Mrs Judd knows the cattle from the natives from Mr Rogers. does not know whether Mr Judd bought it. Mr Judd has built a cattle shed and cattle pen and had the entire charge of that business. The profit from cattle the. Year is not been afwards of $4,000. Mr Judd has also had the entire charge of the cutting of stone. Has also charge of the teams. Should think there are perhaps 20 or 30 yoke. at a guess. does not know how many carts there are. Mr Judd has also charge of Goat horses, and sheep. Also attends to procuring tools for the use of other is in. When they are ordered by the Governors. Also furnishes all the Goverment offices from one end of the islands to the other with stationery. Should say the Collects but pays in on the average $40,000 per annum ~~$~~ $10,000 per Quarter. If Mr Judd dealt with him strictly according to law he would

6 fit

only be required to keep in mind a quarter and he and Mr Judd might under those circumstances have any where from 5 to 6 thousand dollars to trade upon in the quarter, in case they chose to do so. It is Mr Judds practice to call upon him at any or all times when he is in want of money for the Treasury. Taking the money in this latter way is in writing in the best way. Never knew of Mr Parks or Mr Judd making use of one dollar of Govt money to speculate upon. Has received no disposition on the part of Mr Judd to conceal his money matters from us. Has sometimes done little matters for Mr Judd in relation to his private accounts. Thinks the assistance so given has been so small that Mr Judd

C. J. H

is not called upon to pay
with[illegible] for it. Know that there
was an amount of money charged
to Mrs Rudds accounts for matting
a fence at Waikiki. Does
not know how many Govt
cattle there are at Waikiki. Think
there were about 30 belonging
to Mrs Rudd when Blount
made out the account.
There was a charge against
Mrs Rudd for ploughing and
labor in Pikoi's Saturday
a/c, but could not say
whether it was labor done
by prisoners. Mrs Rudds a/c
did not stand overdrawn
quite one month on the
occasion before alluded
to. The $800 were included
as an amount
in an account copied
from the books and
sent to Mrs Wylie. Does
not recollect any other
instance of Mrs Rudds a/c
being overdrawn. Recollects
Mrs Rudd having lent Govt
$1,500 at one time without
interest. In put that money
from Consul Jarrill and
gave a mortgage on his
own house and lot.

C. f. t.

He paid 12 p% interest for it. He stock has during the last 12 months been in Dr Ewalds debt. Knows that Dr Ewald has often lent money to Pattison and to Pumphrie also: cannot say to which most often. Believes there was a report that Dr Ewald lent Pumphrie money to buy Lamions brandy. That was before witness came into the Survey Office. The entry of the Keona was made in August 1848 before witness came here: came to look at it from the circumstance of Pelletier having spoken to him about the vessel. The entry was in Mr Robertsons hand writing. Remembers that the Keona was advertised for sale before she came into Mr Ewalds possession and that parties were referred to Mr Ewald or Pelletier & Co. Recollects Dr Ewald having told witness that he bought

C ff

taken delivery of his (Mr Judd's) own house. The order given by Judge Lee to pay for appraising land between the party alone. There was a seperate order for the person associated with him. This party had something to do with some Goat skins but it is so long ago he almost forgets. As writer is situated he should almost likely be known of instances when party was similarly employed. Mr Judd has made an arrangement with Williams. To sell them all the goat skins he has at 10 cents per large & kid and 8 cents for smaller ones. It is understood they are to be delivered immediately on their arrival in Honolulu. The skins thrown over the wharf were rejected by some purchasers on account of having been damaged by salt water in coming down from mind board. Dr Judd has recently sold a lot of hides to Dr. Jamison. When Dr Jamison went to look at them

C. F. H.

they were not in good order but were rather over ripe and dried which natives call with the exception of some 8 or 10. Believes Mr Kinney defers to purchase some damaged bananas (as he says) of Gust on Hawaii at about half price. Believes that the Paalua Cane is received in exchange for produce. Such property is generally held by the tax gatherers at the discretion of School inspectors. Heard Mr Judd say the Govr of Hawaii had written down that there was no produce to be sent down. This was the last time the Makua ole came down. Should think Mr Judd would not keep a useless employee in bringing round wood ~~for his use~~ if he knew there was Govt produce in Hawaii

left

that a night to be brought down. Mr Endicott recently shipped a quantity of coffee to California for sale. About 2400 pounds; one ton and a half of it. Mr Endicott sold that coffee at 12½ cents per pound, and some months, to Mr Betts and he also took some himself at that price. That is now the market price. With him prices the price according to the current price in the market. Mr Endicott charged 10 cents before but with told him the best coffee in the place could be bought at 12½ cents. It is the avowed principle to receive coffee of natives at 10 cents per pound for taxes and sell it at market price, the Govt bearing the loss in order to encourage the cultivation of coffee. Recollect that a part of the 2nd button were used the other day.

C H T

~~The~~ does not know that the buttons were used for soldiers uniforms; does not know what they cost; does not know that Mr Judd bought them at all; but supposed that every thing in that room was bought by him. Yesterday Mrs Judd took two pieces of calico and left that room and was charged at cost price for them. Generally speaking he has charged a little more to himself than the actual cost. Could not say what sort of purchases the Govt goods would be if he went round town to buy clothes and materials for the soldiery. Does not know of any instance of Mr Judds making purchases for the Stalding Govt at the very lowest cash prices. Part of the C.F.A

articles furnished Erhn Freeman the exchanges were house timber etc from the store in Aiea mill. Thought the amount of $15000 had been expended on the Pali and Nuuanu roads the last three years. About $3000 perhaps was expended for the stone bridges; perhaps $4000. for the two. That leaves $11,000 for the roads. The principal items of expenditure are forces paid for the prisoners, tools, utensils etc, powder, taper etc and expense of Superintendence. There are appropriations for Roads in general. Does not know which part of the road Easton mentioned had fallen, but he said he could not go over himself and with[illegible] also heard from Manini the man who brings cattle from Kaalaa that he could not bring them now. It is 8 months, perhaps since with[illegible] went there. Believes [illegible] gone.

E & F H

after. Never heard Lee for pleasure the road entering the road at the Pali always denied he thought it was built in a wrong way. ~~Believes~~ The road roads about and below Mr Judds home would increase the values of other property besides that of Mr Judd. Should think about as much produce is brought from Manoa, Waikiki and other places in that direction as there is brought from the other side of the island. Believes the Kamehameha is kept for a yacht for the King and also to make money; when she is not used by the King she is used to carry passengers and freight. Thinks the appropriation for the loss on Govt vessels this year is $2000. Was not

Capt

here when the Kaalilio was in last season; but the Hawikuka was in Port season about 6 months after he came to the office. Before the Hawikuka left about paid her expenses. Before the reason for selling those vessels was not to compete with private owners, also because they were all great expenses. Does not know what profit was made on the Kaalilio. The Native Ola has been generally employed during the year in bringing down Port produce and lately in bringing wood from Koolau. She never gets any credit on the books for the freights she brings down for Port. Does not know how long one trip to Koolau and back takes; it depends upon the wind. She will bring about 8 cords. Wood has been worth this fall about 10 or 12 dollars, varying. As with I said before the Kamehameha has last about $100 a month. Does not know how the Emilie is

C. F.

managed. Black varnish
costs about $1 per gallon.
Mr Judd bought it of Mr
Pelly at 75 cents. Mr
Eames Robinson opinion about
black varnish is that it
is not fit to put upon
wood: it is good for iron
work. Paint (black, and
probably mica) costs about
$2 a gallon. Does not
know that the black varnish
was imported on purpose
for ships. Does not know
that the HBC. use it on
their own ships. Witness
has been connected with
the sea for 15 years but
never knew black varnish
to be used about the
wood work of ships
before. This however may
be a new kind of
varnish. Mr Judd has lent
Mr Robertson money. Does
not recollect his lending
Mr Li money; his a/c owes
a little ~~money~~ over drawn
about a year ago. Has
known him to lend Parki,
Witness, Mr Mc Phail, the Govt.,

C. J. H

could not say who were Mr Ludds favorites that he cant so much frequently. Has heard Mr. Ludd say that he was not responsible to the Sandwich Islands Revs, Mr Robertson etc. When first heard him say, I will, I will take the responsibility, in regard to this he did. Never heard the least intimation from Mr Ludds lips that he was not responsible to the King and Chiefs. The understanding with Kekauonohi was that the money would be collected when it became due. Mr Ludd told him at the time he lent the money he certainly could take the lot if he did not pay. Did not recollect Mr Young to say he knew he would not pay. The entry of the 4000 per annum paid Mr Ludd is entered in the same way as with Wards do it under the circumstances, but probably there should have been an annual appropriation for the amount. The rent paid for the Voss-house has been entered in the books formerly to the debit of Govt Property and now it is credited in cash a/c. Has seen the Charter

C. P.

party of the "Ramchandra". The charter party mentions that the "Louisa" is to be under the control of the Minister of Finance: the parties who signed are Thevonesillabe and Gopaul, minister of finance. I learn from Mr Judd his object in sending for the Kanakas was to bring fire wood: he said wood was scarce and it would an accommodation to merchant ships to get fire wood for the ships. She only brought wood once. Mr Judd employed the Emilia on the same terms; that is to say to bring wood on halves.

Pay Mr Robertson. Remember that in the case of Boyd and Vonphinbe they had come to the home office & demand their licenses upon Mr Judd's promise. I think Mr Judd had no authority to promise a man a license, but he might

Capt

promise his influence to obtain it. He had no authority to give parson ~~credit~~ liberty to strip the bank from the ties of private parties. Considers Jarvis land more valuable than the land in Marini's lot. Has heard Paul Marini say that Dr Judd overreached them in that bargain. Mr Parke had part use of the room May all the time he was in Honolulu Hale, so with stuff, but other persons had ~~goods~~ there at the same time. Could not say what time when Dr Judd told Mr Lee to do his duty in presence of Mr Judd, he added he did not care whose feelings it hurt. Thinks it would have been better not to promise Jarvis during the loan at first ~~and afterwards~~ than to promise it and afterwards not lend it. The withholding of the notes in security would not have been creditable if Dr Judd had known Dr Austin to be Montgomery's agent. Dr Judd last ~~report~~ to legislature recommended the issuing for a large debt

C. J. [illegible]

of $200,000 in the shape of a loan. Mr Judd a short time ago sent $40000 to Mercantile Engl[and] to buy arms altho Mr Reynolds had a draft to that amt running at interest. Heard Antonio complain of the quality as well as the price of Pikaia's goods: he said they were most of them rotten. Mr Judd appeared displeased with Antonio when he applied for letter of Ag. Antonio said he would leave the vessel and he get letter Ag, and that was very likely the reason he got it. Heard from Mr Robertson at that time that he heard Mr Judd endeavouring to get over Hull to leave the Manihiki. Has been told by Emett that Mr Hall came to him and wanted to leave on that agt. C.F.H.

Believe the expression which Mr Ewart desired should be taken out of Mr. Dillon's himself. But the book would show. That at that time Mr Ewart was bringing with Dillon for political purposes, but his opinion has changed on that subject since. Never heard Mr Ewart use expressions calculated to convey the idea that Mr Wyllie was true to the King. Should think Mr Young and Mr Robertson are quite capable of managing the business of the interior department. Should think that if Mr Ewart did not interfere the business would be carried on quite as well and the properties as well taken care of. It was only on one bill that Mr Parker showed an advance as within his understood. Thinks that if each department brought its own statements it would be proved as good and

Capt

as cheap as it is now. Has known Mr Judd to buy English stationery & Mr Kelly at very high prices. If the Govt. had wished to do so they could have imported it themselves and saved the importers profit on a very large part of it. Thinks it a shame for a good accountant to allow his cash ~~account~~ to run on unbalanced for a twelvemonth. It is not right for any Government officer to mix his own cash with that of Govt. Knows that the sums appropriated annually for each department are severally submit to the orders of the head of each department. Mr Judd did not till after the commencement of this investigation went for an order from the Secty

Minister of the Interior before
he paid out a sum for ~~building~~
articles bought for the building
etc. Never in America saw
a wharf fall down as the
Levuka wharf did. They are
in the habit of filling up their
wharves with coral heavy
and light, but they know
them of many tons. Has known
500 & hundred tons of coral
placed on a wharf at
once. Relates he saw
while in Samoa, a letter
from Mr Judd to Mr Souter
containing him as collector
not to use the Govt money
that passed through his
hands. Does not keep a
set of books for Mr Judd.
Mr Rhodes and Mr Banks
used to keep the books of
Party No 2 or William Party
while they were in his
office. Does not think Mr
Judd has paid out of his
own pocket any money
for work done ~~on~~ the
fence at Pawaa during
the last 12 months. Has
never seen any charge in
the books against Mr

Coffin

Judd for pasturage of his cattle on Kauai. Believes the Govt was not very much in want of money when Mr Judd lent the $1500. The books however would show. The Govt is generally in debt to other parties than Mr Judd, who do not draw for their salaries directly they become due. Recollects Mr Robertson being employed about 2 months ago in appraising land, he was not paid for it. Is not certain whether the advertisement with regard to the Kauai being for sale was inserted in the Polynesian before or after the map was taken by Mr Judd. The list of goods shown over the wharf was taken from the Govt stores; they were damaged. There was a China man brought about 4 days

Govt

of coffee at 8 cents or about half price
it was a mistake of the
men in charge and afterwards
deducted from his pay.

Adjourned till tomorrow the
28th of Dec at ½ past 11
A. M.

C. P. H

Palapa 23rd Decr 1848

The Commissioners met again at the hour appointed.

Examination of Wm Jarrett continued by Mr Robertson: The expenses on the Nuuanu Road and Pali during the last three years would probably amount to $35,000 including the labor done by prisoners. Does not think that in the same time $300 have been expended on the roads to Waikiki and Manoa. Thinks the schooner 'Kamehameha' with good management would clear $1500 a year clear of all expenses, even supposing the King required her for a month for his own use during the year. Should think it was a very profitable transaction for Mr Judd, so far as his private interest were concerned, sending the Govt vessels for his fire wood, as there was no other vessel at the time that it could employ. If the wood had been brought at Honolulu sold on a/c of Govt, Govt would have

received the benefit either of Dr Judd. There are other persons in Govt service who understand selling produce and purchasing goods as well as Dr Judd does. That Dr Judd keeps that business in his own hands partly as a means of gaining influence with the merchants. The Govt will have to pay this year about $5000 for the pilotage of whalers. Considers that money thrown away, so far as the Govt is concerned. Dr. Judd spent a great part of his time in getting up a gold digging expedition during the month of October. Dr Judd, both Party and Dr Party are the share holders in that scheme. does not know of any body else. Has heard natives say that Dr Judd gave them to understand that they were going to be employed for the benefit of the Hawaiian Govt. Heard that foreign natives who were under agreement with those parties

Re-examination continued by Dr Judd. Believes that he (with) could carry on the business of the Finance department as well as Dr Judd, except in those matters in which

C. L. H

in regard to the native correspondence ~~knowledge of the native language is required~~

Mr Robertson thinks this Commission costs the Govt about $45 or $50 each day of its sitting.*

Mr Robertson lives on the road to Waikiki and Manoa. The King has a residence on the Museum road. Mr Judd's treatment of Wilcox has always been good; has got on well with Mr Judd ever since he has been in the office. Mr Judd says to withstand his object in buying the fire-wood at auction was partly to convenience whalers and partly to assist Kalili who was in difficulty. Is aware that Mr Robertson has had entire pay for making out documents at different times.

By Mr Robertson. Rose papers were for private parties

By Mr Judd. Never knew Mr Judd to take entire pay

C.F.H

* Called Col King the Commissioner of Claims.

for services done to private parties.

By Mr Robertson. That Mr Judd could best afford to work on such occasions for nothing in view of his superior salary.

The witness wished to correct what he had said about the amount of the collateral security held by Mr Judd on Montgomery's note: There was a note of M. Kekauonohi and A Kelii ahonui in favor of Isaac Montgomery for $5000 on demand; and a note of A Kelii ahonui for $2000 payable 25th Dec 1848. That was all the collateral security. Since giving his evidence about the sale of the lease by Mr Parke to Lord when he stated that the deed had not been given to Mr Easton for registry, he had learnt that it had been given to him. Mr Jas Lee having been under a mis apprehension as the deed was signed by Kinid

C.J.H

(Pattis wife) and not by Patti. Considers Doc Judd not to blame in this matter. Wm Jarrett

The Commission then adjourned till Tuesday the 16th inst at 10 o'clock A. M.

Capt

Palace 26th Decr 1848

The Commissioners met again at the hour appointed.

It was voted that Mr Robertson's request for certain books and papers, under date of 23rd Inst, be granted, and those documents produced at a convient time for all parties.

Jno R. Jasper recxamined according to a vote of the Commissioners of the 18th instant, by Mr Judd. he could not say, that he could name all the parties who had remarked that the policy pursued by Mr Judd was anything but to the advantage of the King and country. Some of the persons from whom he heard it he supposed to be actuated by feelings at the time and to be among those in opposition to the Judge. He has heard it from Mr Everett, Dr Wood, Mr Jamison, Mrs Coan, Mr S. Reynolds repeatedly, Mr Punchard, Capt Phillips and others, including Captain Meek and Penhallow. Also from Mrs Judd & Mr Harper.

C. J. H.

Doct. marked A 15

Does not remember to have heard Mr Robertson express himself in that way, has heard him express himself dissatisfied with certain measures adopted by Mr Judd. Has heard Mr Dillon express his opinion with regard to the Govt in general and the course pursued by it, but not particularly in regard to Mr Judd. Mr Dillon also said that he did not think Mr Judd had any business to connect his name or any body else's with those whom he wanted to find out to have contributed to the 'News' believing they were implicated. unless he had good reason

Has heard Mr Dillon say that it was an insult to him for Mr Judd to enquire if he had been writing in the press. Does not recollect this from Mr Jarrett.

any such remark. Never heard him make any remark about Govt measures that he remembers, except that he disapproved of the part of the law relative to the dismissal of seamen

Cf H

and with[illegible] understood him
to say that soon after he
arrived here he found he
could not get on at all
if he was subjected to
observe that, and called
on Mr Record and Mr
Judd who at once agreed
that that part of the
law should not be
enforced. ~~In his case that~~
~~he was concerned.~~ Then heard
Mr Ten Eyck express his
opinion in the same way
with regard to Port policy.
Then heard Mr Williams
express his opinion of the
course pursued by Port-
particularly with regard
to lands: he thought persons
with capital should be
allowed to buy land
without taking the oath
of allegiance: also with
regard to the port charges
then existing. Never heard
Mr Skinner make any
remarks of the kind. Mr
Williams thought the agricultural
resources
of the

of the country must be developed by foreign capital or else the islands would never prosper. Mr Gulick expressed himself not satisfied in connection with the way in which land claims were settled, but it was in connection with a particular case. Mr Everett remarks were made ~~some~~ time before the date of the charter of the 'Kamehameha'. Mr Everett remarked, and it might have been called out by some particular act of Mr Reeds, that he the former had a very limited and unwise ~~the~~ policy ~~was~~ and that it ought to be adopted more liberal views and advised the King and Chiefs to sanction their being carried out it would be injurious to the King and country. ~~Mr Whitehead~~ In reference to Mr Whitehead, with his head he expresses himself frequently

Left

that the policy of the
Govt was not a wise one
and he blames Mr Ladd more
than any body else in the
Govt for its not being
altered.

By Mr Robertson. Has heard
some natives, as far he
could understand them,
express themselves dissatisfied
with Mr Ladd's official
conduct. Could not
say that he ever heard
any one say however
particularly afraid of
Mr Ladd, but has heard
natives say he was "saakiki"
and pretty hard in dealing
with things. Has not in the
last six months heard
any foreigner express his
approbation of Mr Ladd's
policy: does not however
mean to say he has
heard all the foreigners
express an opinion one
way or the other. Is not
sufficiently acquainted with Mr
Mr Ladds transactions to a

left

able to give an opinion as to whether he disinterestedly sought the best welfare of the natives on every occasion. Has seen one or two natives come as constables to the police court and say that they acted by order and under authority of Mr Judd. They did not show any authority from the Govt. There are two classes of constables, one belonging to the town, the other to the country; these last have no share in the business and pecuniary profit of what is done in town; it was in this way that the answer to a question that they ~~answered~~ told him that Mr Judd authorized them. By Mr Judd. Heard natives in Lahaina express their disapprobation of Mr Judd's course before he (writer) came down here. Ordered Kamaikini and others

left

one was Kuakamano. That was about the time they wanted to turn out the foreign officers. Also from Kalaikini. There was a considerable excitement about foreign officers at that time. The consuls who said they were appointed by Mr Judd did not show any commission, did not ask for their commission. Can not say he had reasons to believe more than Mr Judd had appointed them as did ~~that~~ ~~they~~ has ~~many~~ no reason to believe they would come and tell a deliberate falsehood.

John R. Jarves

William Ladd sworn by the Sec. Witness remembers in Oct or Nov 1844 ~~sitting~~ an acceptance of Williams Paty ~~for~~ $1,700 discounted at the Treasury. It was drawn at three months. ~~Date~~ 10 per cent was deducted from the face of it for discount for the three months. Forgets whether the note expressed on the face of it that it bore interest, that will appear on the note.

Def. 14

From out of the money with-
drawn in payment of the
note ~~out~~ he paid Mr Judd
about $226 that he
owed Mr Judd on his
private account. This
payment of that sum
was one of the conditions
upon which the note
was discounted. There
was nobody present when
this was done but with
and Mr Judd. Understood
from Mr Judd the Indians
very short of money
just then, and that was
assigned as the reason
for demanding so large
a discount. ~~In this case~~
~~of the transactions the Indians~~
The note was given by Mr
Parke in anticipation of
goods to be sold by him
at auction on account of
with f' house: but the
goods not realising so
much, ~~Mr~~ with f' paper
afterwards into the hands
of Mr Judd two notes to
make up the difference.

C. F. H

Those two notes exceeded the amount that Party was short. Never heard any thing from those notes since: as regarded the overplus. Previous to this visit borrowed of Mr Judd $1,200 for which he gave ~~funds~~ a bill of sale of certain goods and took them into his possession, the goods were worth considerably more than the money lent. This was in Sept 1844. Understood on this occasion as well as the other that there were no funds belonging to govt in the treasury at the time. It was between half past 9 and 10 o'clock at night that he got the $1,200. Mr Party's inebriation was discovered in the day time: in the afternoon. Does not exactly recollect who was Mr Judd's clerk at that time; it was probably Mr Humphries. Believes the money belonging to Francis and Greenway's estate was lying in the treasury at that time. He received the $1,200 in gold.

C C

An execution was sometime ago issued against the house and furniture in favour of Mrs Judd and Mrs Pats Does Judd was very unwell at the time & she had been an invalid for about 12 months, confined to her bed or Couch &. Went to the Jersey Office in company with Mr Lee (as that gentleman said he could not grant a delay until they went to see Mrs Judd) which was asked for two hours time, which he refused, afterwards with asked for half time, which was not granted; finally Mr Judd would not allow any time but told the Sheriff to go and do as he had told him previously to do. With made all the appeals which it occurred to him to make at the time. Mrs Judd subsequently became worse; at one time dangerously ill, in the

C.P.F.

opinion of Mr Wood: this was occasioned by having the house stripped. Withy had a claim ~~at the~~ against the estate of Mrs Adams and has still. Thos Mr Ludd and Jno Li were the administrators to that estate. Has requested settlement of that claim of Mr Ludd. Mr Ricord ~~after~~ called and said it would be settled in a day or two. When he went to the office of Mr Ludd about it, he was told by Mr Ludds Clerk it would be settled in case he let it go the credit of Govt account. with Ludd &c. Understood from Mr Romphrit that was the only condition upon which it would be settled. Withy refused & have it settled so, on the ground that it was a private acct; considered it a very improper proposition. It was a claim for about $150:00. Has suspected at times

C. F. H.

that people have been
talked about breaking into his at
night. Those he heard
were natives; has chased
two or three out of his yard
in trying to catch them. Has
often seen people peeping in
at his windows in the night
time, who when asked
said they were come to
see his natives. Some of
the police men have been in
his house at night, they
always said they were
come to see his natives.

Cross-examined by Mr Judd.
The paper was drawn by
witness and accepted by
Mr Parke: the rent discounted
and amounting to $1700.
Witness ~~refused the paper~~
has no recollection of
giving an order from Mr
Judd for the whole amount
of the auctions: might have
given such an order. When
Mr Judd sent ~~it~~ witness
$300 he told him it was
on account standing
to his credit in the
Treasury books, he stated

left

there was no hurry for money, and that he wanted some body (Kent who was leasing them) to think that it was the same recreation. It was for preparation that he should pay 10% discount, and he would have paid ~~any~~ a higher discount at the time as the necessity was pressing. Hodges pretended they were short of money; said they were short; afterwards produced the money: this was in connection with the acceptance of Pate's for $1,700. when he negociated the loan in debt, and with same bill of sale, remembers Mr Judd was inclined to drive a sharp bargain, and had the goods set down at very low prices. Recollected the whole business was done on the understanding that if the goods were eventually sold there could be no loss to Govt. No body in the community could have said but that the loan was a very prudent one so far as the security was concerned.

C. J. H.

Money was very scarce at that time. Never knew money so scarce for so long a period as it was at that time. Was paying Shillitoe 3 per cent per month at that time for a short time from necessity. At the time I looked upon Mr Judd as a friend, and believed him then a sincere and honest one. Has no recollection that Mr Judd ever positively refused to let me have any further before this transactions. When with[out] wanted money which was often at that time, Mr Judd used to talk as though he had no money, and sometimes wanted a good deal of urging and entreaty. At one time at Mr Judds suggestion, it was thought of raising a loan in a certain quarter, of which parties to have a part, but when Whitby saw the

Left

papers drawn up he refused to have anything to do with it. It was to negociate a loan of some £12,000 or £15,000 of Robinson & Co, under the security of land, and to give back a mortgage on the Kadoa estate: thought this was about July 1844. One of the papers was a bond for £20,000 which was, & the forfeiture in case the money was not forthcoming at a certain date. Supposes Mr Ricardo has up those papers. Cannot say that it was not Mr Gisborne. but regard to the debt owed to him by Gov Adams, with thought it would have been a very improper proceeding. Heard that Mr French's estate was settled that way but did not think it was a right way. The house of lords was paying some of its liabilities at the time.

C. F. H.

Before the executions was served on with[illegible] by Mr Lee, recollected that ~~he had~~ Mr Lee had what he called a trustee writ, and without attaching the wharf he stepped forward and claimed wharfage, on the strength of a previous notice given the party that he should demand whatever wharfage might become due. Always understood Mr Lee's actions where he had the warrant of the Court, but in every other case visited them. Think he had no intimation of the executions having been issued in favour of Mr Ends and others until Mr Lee came to serve it, which was the same day that he went with Mr Lee to see Mr Ends on the subject. After the levy was made Mr Lee came forward and entered into an arrangement by which the sale became unnecessary

P.T.O.

and notice was given that it would not take place. Afterwards that arrangement fell through the intervention of Mr Healy, and another notice of sale was made and the crops sold. Has said that he thought Mr Ludds policy not to the advantage of the King and country, and feels himself justified in repeating the remarks. Has heard no stir in the community about the advertisement of a sow and pigs being about to be sold by Robbs the under sheriff, under writ of execution.

By Mr. Robertson. Does not know who got the benefit of the discount of 10 % on Partys acceptance, whether Mr Ludd got it or the Govt. The money was put into three trunks and sent to the store to prevent suspicion and at Mr Ludd's request that something should be put in with the trunks some blind partition for the same purpose

C. P. H.

previous to returning the trunks. Witness' impression at the time, left on his mind by the conversation between Mr Judd and himself, was that the money was taken from some sums held in deposit with the Treasury at that time. Mr Judd never accounted for any overplus arising from the sale of the goods deposited in trust for the loan of $1,200. Had reason for ~~believing~~ that the goods were sold and sent to Maui, and had reason to believe also they must have sold for some hundred dollars above the amount of the loan. The opinion expressed by witness is very generally prevalent among the foreign community.

By Mr Judd: Thinks there are papers in existence that will best explain the transaction in regard to

C ft

the $1,200. loaned. As far as witness recollected those goods were to be kept a certain time and then sold, and if any profit arose upon the sale it was to go to the benefit of ~~Judd~~ Hoʻo. At the same time they were set down so low that there could hardly have been a loss.

William Lee

Robert. W. Wood sworn by the Governor. Witness deposed that he negociated the lease of his land at Kolea with Mr Judd: that in the preliminaries were arranged with Mr Judd and all the details, which he ~~afterwards~~ took to the ~~Bar~~ had it brought before the Privy Council. Recollects the questions being ~~raised~~ raised upon the property of William Lee & Mr Judd & Mr Judd & Mrs Judd had been in feeble health for some months, she had been for some months confined to her room. Witness called on Mrs Judd as a professional man to witness

Let.

his bodily powers on account of Mrs Dadds health, as he had been sent for suddenly several times to visit her. Mrs Dadd was labouring under hysterical symptoms occasioned apparently by excessive prep; which coupled with her previous illness led with to apprehend that the consequences of the Marshal proceedings might seriously affect her health. With called on Mr Judd and stated what was Mrs Dadds state and his own apprehensions and suggested the propriety of allowing the Marshal to suspend his proceedings for a day or two. Mr Judd took a different view of the matter from the one which with took, and his application was unsuccessful. Upon Mrs Judd made the remarks

left

I dont care any thing about it.' Supposed at the time that the remark was provoked by some wrong which Mr Judd supposed he had received from Mr Brinsmade and others. It was certainly not right morally speaking, that Mr Judd should claim damages to suffer of Mr Brinsmade had done any wrong to Mr Judd. The impression made upon his mind at the time was that his conduct was hard hearted; the only palliation that suggested itself was the irritation produced on his mind by the previous suit in which Brinsmade and others were concerned. Some time ago purchased a chronometer of Mr Judd. Paid $150 for it, as near as he remembers. Does not know whether Mr Judd had any interest in it, understood it at the time to be Mr Judd's private property. Knows nothing certainly about a system of espionage [illegible]

been practiced sometime ago. Has been told that he and others were watched; that opinion has existed in the foreign Community for ~~three~~ two years past. Has never been disturbed by those reports, as he endeavours as a general thing to say and do nothing of which he ought to be ashamed. Has been told that constables were employed to spy. Thinks there are objections to such a system; it is unpleasant to suppose that our own servants are spies, it interferes with domestic comfort. Has no objection to say that his views are different from those of Lords as to what the policy of Government should be. It has been his belief that the intentions of Mr Anderson good, but at the same time thought he had a

C.P.A

mistaken views. Suppose there are very few men who do not sometimes prefer their own interest and personal influence to the public good. It has been with opinion that Mr Judd has paid more attention to his own interest than was compatible with the proper course of an official character. It is that Mr Judd as a Counsellor of the King does not possess the confidence of the foreign community. Almost every day hears his official conduct spoken of with disapprobation amongst the foreign Community. This sentiment appears to prevail in Honolulu. That such has been the case for the last year or two amongst the 'aliens' so Called, and latterly amongst the aliens the distrust has been more general, and during the last two months the naturalized foreigners have also expressed themselves more freely on the subject.

C. F. H.

Cross-examined by Mr Judd. I found Mr Judd quite willing to settle the debt if Sanders & him after the execution had been levied. There was an effort made by the assignees to settle Mr Judd's debt and that of Sanders, supposing perhaps they would come into their possession to secure them; afterwards finding that such would not be the case they drew back. Mr Judd seemed quite willing to take with P's note for the amount of the debt. There was an apparent reluctance on the part of Mr Judd to return the note of with P's, which he would no doubt have been perfectly satisfied with for the amount. There was a paper produced which Mr Richards explained, by which it was discovered

C-J-H

there was a rush in the matter, the business had been done hastily and had the writ been allowed to be served with & Mr Ludd and the Marshal would all have been exposed — to this prejudice." does not this the motive of Mr Ludd in telling Mr Lee to levy on the property was to discuss Mrs Ludd, but to collect his debt; and that the sickness of Mrs Ludd did not weigh with him as it ought to have done. Mr Ludd did not express any sympathy for Mrs Ludd; witness was at a loss in explaining Mr Ludd's remark. thought that Mr Ludd might have supposed he was exaggerating Mrs Ludds sickness. Sometime after the sale Mrs Ludd began to improve - could not say how long after. A great many kinds of sympathy were shown by neighbours which seemed to restore her spirits. There was a great deal of excitement

at the time about the levy and sale. The pig and bible were remarked upon particularly, which had been levied upon. Has seen no evidence of any allotment about Judd and nine pigs lately levied upon by the under Sheriff. Has no recollection of beds being levied upon and sold at Sheriff Sale. Has never heard that his office was made a place of meeting for spirits on Honolulu house (if he had he would have enquired into it). Has never paid much attention to the report of the * ^ Mr Brunnie remarked while he was living in Little Queen St that the visits of his friends were reported. Attempts remarks about Mrs Judd's devoting an undue share of his time for his own profit was not heard lately

of late

upon the report of his being employed in trading with Mr Parker. The opinion expressed on that subject is often accompanied with the remark that however Mr Judd's position would not turn it to their advantage in several ways. Arrived here in the spring of 1839. Has lived here ever since. Has found this a very ~~ill~~ ill-climate. Commenced by Rendered when he first came here there was a very bitter controversy going on between perhaps a majority of the foreign residents and the L.D. Mission. On which account with point did not appear to live in Honolulu. This the failure of Greenway and the subsequent proceedings of the assignees made a considerable stir in 1842. This national feeling had a good deal to do with it. Mr Stimson and Simpson were very bitter. Rendered a petition signed by Stimson and

Co. p. 12

Simpson and signed also by about 40 Englishmen. Does not remember the subject of the petition. He never saw it. Recollects that the sentiments of Lord George Paulet and Mr. Simpson were in opposition to Mr Judd; whom they supposed to be opposed to the English residents. It was generally understood that the King placed Mr Judd in the British Commission, and that that was the way he came to have a seat there. Recollects that Skinner was particularly hostile at that time to Mr Judd, indeed he could not recollect that Mr Judd had one English friend at the time. Could not explain his opinion perhaps with regard to Mr Allan. The feeling among the Americans seemed to be that Mr Judd's taking part in the British

Left

Commission read in public.
After withdrawing from the
Commission and for some
time after Mr Judd stood
pretty well with the American
community as high as any
one of the Kings friends in the estimation of the public
even till after the
restoration of the Queen.
During the first 2 or 3 years
of with President here
there was a good deal
of complaint against
the Govt, and some
of it very unreasonable.
Mr Skinner, Robson and
other englishmen are
much more quiet now than
they were formerly.
They before found a
great deal of fault
with the Courts of the
Country. Wilkinson did intimate that he had heard
Mr Judd at Kalua there
was a disposition to
get him removed from office that
there was a wish on the
part of Mr Wyllie to that
effect. [illegible]
Has not seen in circulation
for signature among the
foreigners in commission a
document expressing want
of

C. J. H

of confidence in Mr Judd.
Told Mr Judd, at the time
of Sheriff Walker's death,
that he had heard ~~that~~
~~was~~ it was in agitation
to draw up a document
something to that effect.
By Mr Robertson. At the
time of the levy upon Mrs
Sadd's property, Mrs Sadd
expressed great concern
about the loss of certain
articles given her by her
mother — the loss of them
seemed to grieve her
more than all the rest.
She suffered in consequence
of the proceedings, but
not nearly with her head
affected. She bore
the sale better than with
head ~~affected~~. Mr
Brinsmead saw the
Sheriff the visit of
his friends were reported
to Mr Judd.

W. H. Hoop

Voted that Mr Judd be
allowed to bring forward
C. F. K.

Mr. Peacock as a witness
his connection with a Specification
of Mr Robertson, tomorrow the
27th instant. and said
Peacock is about to
leave the country and
his evidence, as he said
asserts, is important.

The Commissioners then
adjourned till tomorrow
the 27th instant at 10 o'clock
a. m.

C. P. K

Palace, 27th Dec.r 1848

The Commissioners met again at the hour appointed.

It was stated that the General requests made by Mr Robertson in his three notes of the 26th inst. be granted, with the exception that the Board does not feel it convenient to call for any documentary evidence in this stage of the proceedings.

See Doc.s A 16 A 17 A 18 Ap.x

James Pearcock sworn by the Gov.r Witness has been about 3 years on these islands, has worked at compositing in the Polynesian office and the Office of the 'Sh. Isd News'. Worked about 2 years and a half at the 'Polynesian Office' and about 6 months in all in the 'News' Office. When the News was first started with 'name appeared as Publisher. The 'Polynesian' is professedly the

C.P.H.

Govt organ. The 'St Joe Weekly News' is generally called the organ of the Foreign residents. Mr Brunnade Mr Abell and frequently Mr Crocker took part in the editorial duties while with[illegible] published the 'News'. Brunnade, he believed continued editor till the volume closed. Mr Byrne was editor when the next volume commenced. After that Mr John Munro's name appeared in the paper as editor. Mr E. A Rockwell's name appears at present in the paper as editor. As far as with[illegible] understands editing it is left with the editor to advance what opinions he prefers. As far as with[illegible] recollects during the time he published the paper all the Govt officials came in for a share of animadversion, particularly Mr Picard. Could not say whether Mr Brunnade used the pen while he was

Capt

editor for his own purposes
& take from the foreign
community. — With him
worked Dr Rockwell
about 2 months. He
came here in a whale
ship, as with[h] he claimed.
Can't say what his
education has been, he
may be a very good
scholar for any thing
with[h] knows. He is a
printer. Does not know
of any thing that ever
occured between him
and Mr Judd that he
should so wickedly
abuse Mr Judd. As far
as with[h] can judge
he is a man of
moderate [redacted]
literature. Does not know
that when he was attacked
by the 'Polynesian' he
was obliged to get
Jno Mumm to help him
out; did not work
there then. In Nole of
the 'Sandwich Islands News'

C. H.

appeared an affidavit of witness ——

As the answer the witness was about to give did not appear to be called for by any of the charges or specifications, he was interrupted by the Board who having considered the subject amongst themselves, did not see that any thing relating to the manuscript of Mr Ben Sykes alone, ought to be brought forward here, and declared their opinion accordingly.

Examination continued

Mr Robertson had no questions to put on the cross.

The Commission then adjourned till Monday the 1st Jan.y 1848.

C.J.H

Palace, 3rd Aug 1849

The Commissioners met on the 1st instant according to appointment, but readjourned, on account of the sickness of M. Kekauonoa, till this day.

M. Kekauonoa was again absent this day, but with the consent of both Mr Robertson and Mr Judd the proceedings were not further delayed on that account.

Arthur P. Bickwood sworn by Mr Ji. Was for some time Deputy Marshal of Police for Honolulu. Held that office about 17 or 18 months. Always knew that he was doing the duty more under Mr Judd than any body else; and that caused some words between him and Mr Rivers. Used to receive orders from Mr Judd. Is now Superintendent of the Prison in Honolulu. The Govt appointed him to that office. Mr Judd has never given him instructions since he has held that office, but has advised him, and with him has for

Sept

his advice, considering himself responsible to the Govt for his act. Mrs had orders from Mr Judd with regard to the food for the prisoners. Mrs seen Mr Judd come to the fort and give orders regarding the military. Cannot say whether the Govt has ever contradicted any orders given by Mr Judd or not. Mr Judd asked with to drill the soldiers, with answered that he did not understand drilling soldiers as well as Kapai pucca, and that he did not consider it his business to interfere with the soldiery. Mr Judd some time since engaged Mr Meddle to kill some cattle for sale. The cattle brought in for that purpose have been in miserable condition. With has complained several times that the feed could not have been good in Kaneohe, as most of the cattle has diseased livers. Heard they were kept too long in the pens in the morning and put in again for food

C. F. H

I might always supposed the person who had charge of the Govt cattle were under Mr Judd. Mr. Pickering and Mr Judd over him had the superintendence of the building of the new premises in the fort. Also Mr Charles Bennett. Mr Judd had the chief direction, and any credit due, is due to him. Does not think the plastering of the roofs will stand: all the roofs have leaked, in very heavy. Lime and clay only were used in plastering the roofs. Mr Judd sent for Mr Holt before the plastering was commenced who advised oils and lime for the coverings outside; with this has been tried used and answered well. The roof of the New Powder Magazine leaked at first but it has been covered anew, but with does not think the powder will ever be kept well in that magazine. Considers that in case of the Capt

powder magazine blew up there would not remain a house in the place uninjured. There is great confusion with regard to that magazine, more than he has ever seen any where else in a powder magazine. During the time Witt was Prosecuting Police he took Dr. Judd to interfere with Mr Andrews. Witt handed his bill to Judge Andrews several times, and he refused to pay, swore that Mr Andrews denied plainly it was by Dr Judds order he refused to pay. But such was the impression on Witt's mind. Mr Andrews told him he thought Witt was entitled to certain fees and fines. Further is he aware but one district court. Held the office of Sheriff and Provost Marshal of Police up to the New Laws coming into effect in 1846. It was a part of his duty to watch for smuggling, and he saw no [illegible] at his time

Colt

& that branch of his duties. Was always promised half the fines or seizures where he discovered smuggling. That formed the principal inducement with him to take the office. Spent a good deal of his own private money to further his discoveries in that way. Discovered some smuggling about Manuel's place at one time. It was spirits out of the barque 'Jane' Capt Marks. Was informed Mr Lucas, Mr Rivers and Mr Paty. Mr Paty went with him to the place. The thing was settled between Mr Paty and the Captain; who had accused the captain of landing two pipes; the captain acknowledged to have admitted a few gallons. With neither got money or credit by the transaction. The capt. has since had his vessel confiscated at Rio Janeiro for smuggling there.

Capt

There was a small bag of the spirits seized
was brought to the custom house.
There was no trial; the Party settled
the matter, and with[illegible] complained at
the time. Somewhere in Nov 1846
with[illegible] discovered smuggling
going on from on board the Hamburg Brig
'Ellen'; could not say whether
it was rum, brandy or gin.
Made a seizure of 5 barrels
of the smuggled spirits. He seized
them out of the American barque
'Caroline' where they were carried
from the 'Ellen'. When he carried
the barrels on shore, the marks
of the barrels corresponded
with the manifest of the 'Ellen'.
He removed the spirits from
the 'Caroline' on his own
responsibility. Mr Lindsay had
a day or two previous sent
for with[illegible] and told him that
smuggling was going on in the
harbor. Got rid of this information
from a Portuguese whom he
paid $50 for his information.
That the $50 were repaid him.
Understood the affair was compromised
between Mr Rennie and the Spaniards
& G.H.

of the Ellen for £2500. Read
that in the Polynesian.
Witt did not get half of that
amount. Always considered
himself entitled to half according
to his previous agreement. Feels
himself injured in consequence
of not having received it.
Thinks Mr Richard collected
that money. When he undertook
bloodletting and for simplicity he
always thought Mr Judd would
pay him his half. Always
considered himself while
in the police as Mr Judd's
servant and accordingly
tried to please him, and
did not try to please any
body else. has employed
sometimes between May and
August 1847, by Mr Judd on
secret services. Neither drew
pass from the Treasury Office
Was merely employed to keep
an account of who went
to Little Greenock Hospital

6 f 4

and was stationed in a house conveniently stationed for the purpose. Runners trained to send in a return every day or two days from the agent there; Mr Brunnader was living there at the time. Has never since been employed on secret service by Mr Judd. Never while Inspt of Police received orders from Mr Judd to watch the private residence of parties in Honolulu. Never received any such instructions except in the case of Brunnader. Native policemen have told him that they have received such instructions. Kane was a captain of police in 1846/7. Kane has told witness that he received orders from Mr Judd to watch certain houses. Does not know where they watched; may have heard perhaps some time ago. Thinks Kane ~~was stationed at Hotel~~ mentioned a house near Mr Damon's where Waldo lived once. After leaving the police was very hard up, and Mr Judd and Mr Young between them gave him $85 for a horse, does

C. J. H.

[illegible] Knowsley down the Lower
Row, Mr Lindo; Mr Young
the Govt. at the same time he
was [illegible] to make up
the £100, he has since paid
that back. He received the
money of Mr Garrett in the
Treasury Office. This took
place sometime in the
summer of 1847. Does not
think he has seen the boat
since. Heard Metcalf say he
had been riding him. Recollect
Mr Lindo some time ago buying
some tent canvas of Skinner
to make sails for the
'Kamehameha'. There was
plenty of good canvas to
be had at the time Mr
Lindo bought Skinner's canvas
because it was cheaper,
it only cost $12 per bolt,
and the other was $17 or $18
per bolt. Does not think it
economy to buy cheap canvas.
Has not taken much notice lately
of the boat repairs. A great
deal of waste in sails and
cordage takes place as a matter
of

of course as they are under native captains, and it was a little time to know how to take care of a vessel. Had two or three men in the first that he wanted to employ, as the Mr. Judd for wants, who gave him some [illegible] and a new main sail and flying jib to make [illegible]. Used 9 bolts of Kanvas canvas at $1.12 per bolt. Complained one of Mr. Judd that the Kamehameha was getting and creaming her seals from being badly ballasted. Mr. Judd asked him why in board and see if he could not improve the stowage of his ballast; he took out about 8 tons of chain, guns etc, but the next was on a platforms and he could not alter it, this the Kamehameha still suffers a great deal of wear and tear in consequence of her ballast being badly stowed.

Capt

know that Kep[er] pearls and throat
lollypands were supplied to
the Kamehamilia, but the old
mag had not been turned out
for ever, and consequently were
not worn out. That he
(with[ers]) could make the
Kamehameha keep more than
1100 Clear for visits, if he
had charge of her and the
Govt to help him.

Conf - Sent by Mr Lords.
Never had any written instructions
from Mr Rives Lords. Mr Rives
said to him. You are Mr Lords
man, and never will be
any body else; and the sooner
you are out of it the better.
First saw him in Comm[ce] in
in 1846. All the time with
me in the police he always
flew to Mr Lords for advice
which he knew he could
not get any where else,
and he knew that Mr
Lords would support him
in carrying it out.
When with me attended Keeper
to the prison he got written

A.F.H

instructions from the Govt Govt authority
think he should ever have been
established so comfortably
as he is now if it had not
been for Mr Judd's influence
with the Govt. Mr Judd has had
many conversations with
the Govt & conversing with
Kaiwikoo and his position
and what he was to do.
Knows that Mr Judd has often
had conversations with the Govt
about the militia and scolded
about their being slack, that
was what I understood by
his giving orders. That he
could if Kaiwikoo were
here, enumerate a dozen of
times when Mr Judd has given
directions to the soldiers & the
fort about the guns, and what
powder was to be used etc.
Supposes the Govt must have consented,
he always appears very well
pleased. That the killing
of the Govt cattle commenced on the
4th of July last. That he has
since paid about $3,500 for
beef, that is "rising" in about
six months. That does not

C.f. H

include the hides and three barrels of beef ~~salted~~ salted. Three hundred and eighteen head have been killed, and 6 calves have been sold besides. Think Mr Judd told him ~~that~~ he gave $3000 for the Rowlee herd. It is true that was the sum mentioned. Think too heard Mr Judd say that about one half had been killed with ropes. That the remainder were removed by a different process, then ~~the same~~ would be worth as much again. Does not think that ~~he~~ would yet put at the places, under the same management. The order from Mr Judd was to kill ~~every~~ thing and not wait in a thin part to kill the cattle were fat. Think Mr Judd has also interfered with Mr Rafferty while he was negotiating. Remembers Mr Judd interfering with Mr Andrews about the stamps. It was in connection with his letting the stamps ~~go~~ ~~with~~ ~~out~~ ~~with~~ ~~out~~ ~~with~~ out with ~~out~~ being paid for. Does not remember

C.G.H.

at present any particulars as to the
of his interfering with Dr Hopkins.
Never heard that Rowan was found
for watching houses. Does not know
how Mr Brinsmead found out
that he was watched; he never heard
it from either. ~~Mr Pentelow~~ Withy
and Mr Judd went together and
put the weight of the two kids
of currants and the width; one
kid was at Skinner's store
and the other at the store of
the H.B. Company. There was not
much difference in the weight,
but Skinner's was not heaviest.
~~The first~~ The color might have
been a consideration; Skinner
was blended and divided ~~the~~ match
the other sells better; that may
have been a consideration. Does
not remember a carter having
bought Skinner in preference
to Kelly's at the same time;
does not remember whether
Skinner's agreed to match
the matter right when the canvas
was found "I have been ~~that~~
rotten. Did not know ~~the~~ at the time of the purchase
was rotten. ~~who purchased~~
Found out the canvas was
rotten before the sail was half
made, but did not believe it was
C.F.H.

So bad till he saw the sail
tent, when it gave way.
If the canvass had not been
rotten, would still have
preferred Mr Kelly's at £18 for
both. The brand and number
told him at once that the
canvas was not good.
Plenty of people buy cheaper
canvass, particularly the
Americans. Does not
know what use is made
of the peaks and throats
beyond what they are
taken from the vessels. Mention
made such rate used for
existing store aboard the
Post and Custom-house.
The 'Komokamokai' is the King's
yacht. Yachts are not generally
very profitable; they are
generally all expense.
Does not know how much
liquor is used in the
place that is regularly
entered.

By Mr Robertson. Never
observed any body else but
he did when he was
off duty

present of police. Cannot say whether Mr Judd always expected he would ~~always~~ obey his verbal instructions. In writ[ing] written instructions from the Govt he has no order to obey Mr Judd. Does not know and never heard of Mr Judd holding any written appointment or appointment about the fort. Cannot say whether he is competent to manage mining affairs. If writer had had cattle to sell he should in the last 6 months have turned in $5 or 6 thousand dollars instead of $3,500. Does not know by what authority Mr Judd instructed Judge Andrews not to pay his fees ~~not~~ to the Court. The 'Kamehameha' is not kept entirely as his Majesty's yacht: She is also used as a packet between this and Lahaina.

By Mr Judd. Does not know that Mr Judd ever instructed Mr Andrews not to pay his fees.

C G P

By Mr Robertson. She
infer from what Mr
Andrews said that
it was Mr Judd who
prevented him from
paying his (witness) fees.

Arthur B Pickworth

The Commission then adjourned
till tomorrow the 4th of Dec
at 10 o'clock A. M.

Palace, 4th Jan'y 1848.

The Commissioners met again at the hour appointed.

And the Govr, M. Rekuanaoa, being still indisposed, the parties respectively consented to the investigations proceeding in his absence; And in the absence also, of John Ii, who was unavoidably absent on business connected with the Superior Court.

William French sworn by Mr Armstrong. Witness has made verbal application to Mr Judd for Land on Hawaii. Mr Judd never promised any positively, but said if he would wait then would be no difficulty in getting it. Judd never referred him to Mr Young on the subject of Lands. It appeared in evidence that Mr Judd had the control, although he often mentioned Mr Young as being the Minister of the Interior, but when writing to Mr Young he said he could do nothing without consulting Mr Judd.

Witness chartered the Emilie for...

Ofk

Mr. Kekuanaoa, about
3 months ago. About the
same time made an agreement
with Mr Ends to bring down
100 head of cattle from Hawaii
presumed they were govt
cattle. The order was given
by Mr. Ends to Wm Beckley
for the cattle 100 in number. The price
agreed on for bringing them
down was $4 per head.
The vessel made two trips
and brought down 54
head. The reason more were
not brought down, was that
when with[illegible] clearance
to Mr Ends for amount due for freight
he came back and called
with[illegible] there were no more
cattle to bring down.
With[illegible] has therefore lost the
freight on 46 head. It was
well understood between
with[illegible] and ~~Mr Kekuanaoa~~
Mr. Ends that there were
100 to bring down and
that was the reason of his
chartering the vessel for
two months. During the

Capt

time that the 'Emilia' was chartered by Withy, Mr Judd hired her of Withy to go round to Kealakeakua for fire-wood. Believed Mr Judd to say it was his private property. Is not certain in that point. Made the agreement with him (Withy) himself. Mr Judd absent the whole time. Understood there were 33 cords to be bought in all: the vessel was calculated to carry 30 cords. Withy was to have $150 for freight or half of the fire wood, calculated at $10 per cord. She bought according to Mr Patty's measurement 13½ cords, with which made it 15 cords: the vessel was not full at all. At the time Withy hired the 'Emilia' he had freight of his own waiting for a vessel in Honolulu. Withy would not have let the vessel go to Kealakeakua but that the Captain was sick who knew the coast of Hawaii.

C. of K

Any thing left them £15 would not have been sufficient and inducement to with[illegible] their respective positions at that time of the year, taking the chance of the winds. Mr Parkin in reading the first round made allowance as he said for it not being perfectly filled. Let £70 for the voyage to Rodriguez, with made up the deficiency to Mr Rutherford; that is to say he paid him about £80, for the five days the vessel was to be employed, or at the rate of £500 per month. The good vessel 'Robert Adair' was sent round for Port Louis and at the same time. Did not notice whether the brought round or full cargo. Cannot say what was Mr Ludds object in sending the vessel. If he meant the 'Emilia' to bring all his furniture. This was shortly after the Emilia got on shore round there

C P K

when the event of the lease would. Considers the hiring of the vessel to Mr Judd as a matter of favour to him, and was in consequence obliged to hire a small vessel to go to Kawaihae to get some beef which he was under contract to deliver to a ship. Has a claim of $200 or thereabouts, being an overpaid balance of the account of Smith & Greenway. Presented that claim to Mr Judd about four months ago. Mr Judd did not pay it, but requested Mr Robertson to go along with him to examine the books, and said that if Mr Robertson found Mr Smith's statement correct when he returned he would settle it, but with a proviso that should there still be a further balance due to Kekuanaoa for rents that amount of $200

C. F. H.

should be deducted
from the balance. Mr
Robertson went with him
and examined the books,
and said he found with
statement to correct and
would report Mr Ludd
of the same. Afterwards
with called again
on Dr Judd, that same
day or the next the
day after. Understood
that Dr Robertson had
reported to Dr Judd and
he said he would ok.
Mr Ludd declined having
any thing to do with
it at that time, saying
that he did not wish
to open any of those old
settled accounts; further
stating that he still
did not know what he ale
to charge it to, in case
he did pay it. Has
called twice since
then on the subject, one

Ephk

time he did not find Dr Judd in. Dr Judd stated that he would refer the account to the arbitrators as there was a special clause in the arbitration to the effect that in case any errors or disputes were found in the accounts it should be remedied hereafter. Here the case rests. Had a similar claim on Dr Parke for the other half of the land (Halawa) which he at once paid by deducting it from the rent. (He with promised to furnish the pamphlet in which the account of the prices for the information of the Commissioners.) Between Wm Reynolds and Lenz Davis have charge respecting of the past cattle in Waimea, this there are two flocks. Reynolds told with to get his instructions from Dr Judd. During the time of the

that with us has lived in Waimea the people in those used to kill the cattle in the pear a good deal, after till 10 or 12 o'clock in the day. It is a very common thing for natives to do so. does not recollect having that a good many of the poor cattle got lost and stolen. Has seen a great many goat skins and in pieces of tapa destroyed for want of proper care. I suppose that was the fault of the collector. Goat perhaps twice or three times a year to the Fair in Waimea. Has not particularly noticed the operation connected with the making of the road there. The road made is in a different place from where with [illegible] would have made it had he been

Ep 1

the direction. As for a witness knows there is a great deal of talk and apparently dissatisfaction in regard to Mr Judds official character amongst the foreigners of Honolulu. I do not consider it to consider of the merits or demerits of the case. I have heard more of this feeling of dissatisfaction during the last four months than I did before.

Cross examined by Mr Judd. Mitchell & Mr Jarrett was not present when Mr Judd gave in the order for the cattle. does not know whether it states in said case that number can be got suitable for working cattle. Understood from Mr Judd he wanted steers for working cattle. Could not say whether Mr Judd said there were a hundred head cattle, but said he left

wanted a hundred head brought down, and on the strength of that with chartered the vessel for a longer time. Mr Judd mentioned that he was going to get some cattle up from Kauai for the same purpose, but there was a difficulty in getting them here. Mr Judd stated to witness that the 'Emilia' would bring 30 cords of wood, and witness was of opinion that if possible it would be advisable that C. should not suppose that Mr Judd used any agency to get the captain of the 'Emilia' to come, would with only a half cargo. The contract with Kekuaa and witness was that the former was to man and victual the vessel. When Mr

C. K.

Judd came to see with
he stood because the
refused to bring wood
on Sabbaths, & that he would
pay the value of half.
Mr Judd asked him
how many cords the refuse
would carry: the windows
badly stowed and the Captain
does not likely is a hurry
to get away. This was a time
of suspense; when the refuse
came round the creditors
a word meaning of them took.
The small refuse that with
hired by Mr Winslow
sailed before the 'Emilie'
returned, & with that thought
had to pay a higher rate than
usual to get the last 2 cords.
Cannot say that Mr Judd meant
to deceive him about the
fire wood, but felt that
it was very hard for him
to lose money for accommodating
Mr Judd. When the wind came
round Mr Judd paid with
cash for his share of the wood.

C. F. K

Thinks Mr Judd allowed him for about half an acre more than Mr Watson's measurement came to. The £200 due by the Crown Lands Office is, he presumes, a charge for money which he never received. Mr Judd advises witness how to do Rankin, he did so, and painted out the mistakes in Mr Rankin's plan who immediately made it right by deducting one acre rent. Remembers Mr Judd saying he wished ~~Mr~~ witness to ask Mr Castle and Mr. Myllie to go over the ground again. Witness did speak to Mr Castle who said he would speak to Mr Myllie when he had leisure. Has since given up his lease for Malawa to Mr Kekuanaoa, and leaving him the balance due in cattle instead of cash. Witness would have made the road at the Pali in Nuuanu on lower ground, by cutting a bank about

Exhibit

50 feet ~~in height~~ lower Court.

By Mr Robertson. Should have felt himself safe in giving a note to a third party for the amount of freight charged by Mr Judd in bringing down cattle on the strength of the agreement between him and witness. Presumes Mr Judd expected there were 400 head at Waimea, and it is witness impression that there were that number there, although some perhaps were missed so have a drive as Mr Judd expected. Supposes that if the cattle at Waimea were under the charge of Mr Judd, he would be likely to know the size of his agents cowboys herd. There are. Expected clearly when he let the Emilia go round for five head, that he would get $1150 or $15 credited on account for the trip. Mr Judd bought witness horse at $10.

C. P. H.

she was perfectly manned. Is not aware of any circumstance that removed Mr Dodds responsibility for the £150 agreed upon* It was after returning the 'Emilia' for another month that with out the order from Mr Dodd on Wm Beckers.

* although he did not receive the whole amount of £150; the vessel not having brought a full cargo. All he claimed was the amount he had to pay Kikuania for the time the vessel was employed.

Wm Finch

Charles F. Robinson sworn by Mr Armstrong. I took Keeper to Mrs. Rankee and others. They have a small ale against this Majesty for. cwench binding and some tea. It has been standing over unpaid for about

Oct

two years. The coach binding 42
was delivered to Thos. Little
and the tea to Kealoha (Lewis).
The coach binding was delivered
to Little by order of Dr. Judd.
The tea was not delivered by
his order. The tea was delivered
to Kealoha (Lewis) who was
in the habit of coming to
the store for little articles for
the King and paying for
them a day or two afterwards.
When the Tea was delivered
the King was about to leave
in the Rehaowe for some place,
and Kealoha came up from
the wharf and par it. Bishop
presented that account to
the Treasury for payment.
It was not paid. Mar got
the bill with him (presented
it to the Board). The bill amount
to $111.75. After Dr Judd refused
to pay the bill it was left at
the Police Court with Mr Jarves
for collection. Mr Judd refused
to pay that bill has injured
his Majesty's credit with the
house of Makee and the Thos.

C. & H.

Doc. E marked
A20

They do not look to the amount, but to the fact of Mr Judd refusing to pay the bill after ordering part of it. What they look to is the principle. There has been considerable talk about the thing amongst those knowing best; they thought it was rather disrespectful to have the King's name handled about at the Police Court. The bill was presented three times for payment, in July 1847, Jany 1848, and August 1848.

C. P. Robinson

The Commissioners then adjourned till tomorrow the 5th inst at 10 o'clock A. M.

Clk H.

Palace, 5th Jan. 1849

The Commissioners met again at the hour appointed.

M. McKinnon and John Ii absent.

Asher B. Bates sworn by Mr. Armstrong. Witness has acted as Attorney for Gost in legal matters, and holds an appointment to that effect. (The witness produced his appointment, signed by John Young and dated the 15 Augt 1848).* Believes he arrived here on the 28th of June, as his wife informed him, was not sure himself. Did not hold any appointment under this govmt previous to his arrival here. Previous to leaving the United States he drew a bill of exchange on Mr. Ends privately, for $1000 not on the Minister of Finance; the bill he drew at from the 25th to the 28th of Sept. 1847. Witness was in Boston at the time. Never drew more than one bill of the kind, has never seen that bill since he drew it. Thinks the bill

C.J.H.

* Had previously acted on behalf of Gardiner & Co. at the request of the Collector of Customs; and been engaged in other matters for the Govt

was drawn in favor of Mr H. Hill of the Shipping Board in Boston. It was drawn on Mr or Dr G. P. Ludd, but not as minister of finance; had no authority to draw upon him as minister of finance.

When he received his appointment and answered Mr Young accepting it, he did not observe that his salary was made to commence before his arrival; it was not till the circumstance was pointed out to him by his wife, that he observed it. That he has never asked Mr Ludd whether he had paid his draft; and never heard from Mr Ludd that it had been paid. With wishes to correct an error; he has drawn another bill on Mr Ludd, and has heard from Mr Ludd that it never was presented; with asked Mr Ludd in case it be presented, not to pay it but to refer the party to him. Has

G. F. H.

heard that his draft for £1000 had been presented and paid, that is the draft in favor of Dr. Hill. Heard that from Dr. Garrett Mr. Judd's Clerk; cannot say whether he said it had been paid or past it the credit of some party; but that it had been accepted at all events. Did not hear whether Mr Judd accepted it as Minister of Finance or privately. It was the morning after his arrival he heard that the draft had been accepted. Has not seen the charges of impeachment presented against Mr Judd or a copy of them; merely saw a memorandum in Mr Judd's hand writing of what he understood to be the substance of the Charges.

Does not know whether he has seen a copy of the Specifications, saw some Document, in whose hand writing he could not say, which he understood at the time to be a part of the Specifications.

C.F.H.

I examined some days ago with Mr Judd certain books that had been kept by a clerk of the Treasury Board; Mr Judd asked him to look and see where certain accounts had been transferred from one book to another, to show that a certain account had been balanced. The book were in existence. Thereby the original account, viz. a credit to a deposit fee of certain notes.

Mr. Judd objected to questions on this subject as they related to transactions which took place prior to the date of his commission as Minister of Finance which is dated 13th April 1946. That he will not defend himself against any charge not distinctly framed or founded upon the memorial of G.M. Robertson to His Majesty dated 11th Oct 1948. Merely wished to have his objections recorded.

C.J.K

Examination continued. There was no debit to the acct, except the amt of transfer to a new acct. In another book Mr Judd showed him an amount credited as being a transfer from the original acct from another book. That was balanced by a debit of two items. The figures in the second book were not in Mr Judds writing. Mr Judd had merely numbered the page where the acct was to be found, in the index. Mr Judd made no new entries and altered no figures in my presence. Receives £1500 a year salary, commencing 23rd June 1898.

Cross-examined by Mr Judd. Heard that the Court ordered the draft in favour of Mr Hill of Boston to be paid. Mr Judd showed me two different accounts in the second book. Mr Judd also showed me that in the index there was only one reference to one acct.

E. L. K.

In the acct referred to in the
index there were several
items of deposit and debit.
Also was showed by Doc Judd
the reference to the deposit
ale which Mr Judd had
himself ~~made~~ made, as the
clerk had omitted to do so.
Also showed with that the
other deposit ale had been
settled and balanced. That
Mr Judd told him he believed
a man who had had so
much accnt & the books
as Mr Robertson, must have
noticed that the no & the page
in the index was wanting, and
that he must have left it
so to make mischief.

By Mr Robertson. That Doc
Garnett told him that the
Govt had ordered the draft
in favour of Mr Hill to be paid. In
the first & the ale a/c books
the entry to the debit was
in a different hand
writing from the credit,

Cft

but thinks the credit in the account in the 250
~~sec~~ second book was in
same hand writing as in the
debit in the first book.
None of the witnesses in the hand
writing of any person with
whose hand writing witness
is acquainted or of Mr Judd.
By Mr Judd. Robinson. Mr Judd
mentioned that his reason
for looking into the books was,
that Mr Roberts had brought
a charge against him for
abstracting some two thousand
dollars for which he had
never rendered an account.
Witness: Mr Judd also stated all
this difficulty came from
Mr. Roberts' not having
inserted the page in the
index in it was his duty
to do.
Arthur E. Wales.

Louis Frazier sworn by Mr
Armstrong. Witness has made sails
for the boat repairs at different
times during the last two years.
Was employed by Mr. Judd. Mr Judd
has purchased some canvas of witness at
C.P.K

different times; about 2 3 or
4 months ago he purchased
two pieces of canvas, equal
to one bolt, of Mr Tapp. Has
not been paid for that bolt.
He presented his bill at the
Treasury for payment. In the
bill there were other items charged
besides the canvas; he left it
with Mr Jarrett who told him
to call again for the money.
He did so and objected to the
item charged for Canvas cut
written by Mr Judd by whose order: Mr Jarrett
offered to pay the rest of the
bill, but refused to
take any unless he paid the
whole. Understood distinctly
from Mr Jarrett that he had
been ordered by Mr Judd not
to pay for the Canvass. Left
the bill at the Treasury
Office. Cannot say whether
the sails on board the Sar-
prise are well taken care
of or not. Bought two
water butts of the Govt some
time since. At the time he
bought it Mr Judd told him

Capt

he had seen the one next to it
to Kaneohe. Sells goods
and merchandize: Keeps a
shop: pays for a license.
Has no sign board over the
door.

By Mr Judd. Made one entire
suit of cotton canvas for the
schooner 'Kamehameha III':
Mr Judd complained that
Withington gave too much peak—
to the foresail and main
sail: Mr Judd ordered that the
sails should be returned
to Withington, cut down
to the pattern of the original
sails that came out from
America in the 'Kamehameha III'
Withington altered both. He believes
Withington afterwards went down
to the port, when Mr Judd had
pulled the sails spread out,
there that Withington had made
as well as he also cut.
Mr Brickwood and a sail-
maker were there at the
time. Brickwood understood
to show him that the old
sails did not peak so
much as those made by Withington.

Capt K

Buckwood - also said they were too narrow. Mr. Judd, said he would get the sails altered and see with Smith for it. Mr Judd asked with. to go and get some sail cloth that could be had, and with said he had some of his own, that is the canvas before alluded to by with. Mr Judd never made him pay any thing more than the canvas for altering those sails. With regard to the water cat; with did not understand that Mr Judd had given Kanaa one for nothing, but that it had been disposed of by him.

By Mr Robertson. With agreed to have the sails altered at his expense, and did so, that was when he took off the head of the peak. when Mr Judd ordered the canvas with certainly understood

W.S.H

he was to be paid for it. Delivered it himself at the Treasury Office, was not told there that he could not be paid for it. Considers that he was justly entitled to his pay. Did not understand Mr Judd who had engaged to let the water last so to Kangaroo.

By Mr Judd. Does not remember that Mr Judd ordered Brickwood to go and buy some canvas for the seats and that he would settle with him for it, and that it was upon that that with Brickwood and got the canvas which he delivered in the Treasury Office. Has not made any claim since then for the goods.

By Mr Robertson. Cannot say whether Mr Judd understands the management of affairs. Witness has been working seeds all the time he has been in Hamilton, nearly 23 years. Cannot tell whether Mr Judd is a competent witness or not.

C.P.H.

Sail is well built or not.
By Mr Judd. This Mr Judd is a very good man to work for at times, and when he can get along with very well at times.

Louis Gravier

Henry Lee sworn by Mr Armstrong. Witness is Marshal of the Hawaiian Islands. It is a part of his duty as Marshal to take care of prisons. Mr Judd has not interfered with witness' duty as to make what allegations he thought proper in the fort, and put Mr Brackenridge appointed Superintendent of the Prison without witness knowledge. The act his commission before witness can enquire into it. Mr Potter served under witness in the police at one time. In July, perhaps 1847, Mr Judd insisted that witness should discharge Mr Potter from his office. Considers that an

Q.f.H

Marshall, he is in no way under the control of the Minister of Finance. Recently some two years ago a big improvement being made on the roads at Waikiki, some new bridges put up. Believe those bridges are now fallen down. Could not say whether those improvements were made under the direction of Mr Judd. Remember expressing an opinion to several persons at the time that he thought the roads would not last. The land claims of the Samoan family have all been settled except one which is still in dispute. Cannot say that Mr Judd ever interfered in regard to the settlement, but there has been a conversation between Mr Judd and myself about the one still unsettled. There was some conversation during which myself mentioned that piece of land. Mr Judd said I thought you had

C.J.H

relinquished all right to that land, with[illegible] he could not in view of his promise to the late Mr Sumner & Ends said well if you put that law to the probability is you will lose all your other land; words to that effect. There was present Wm Forrest who which considered it as a threat at the time, although he has always considered Mr Ends a friend of the family; when he mentioned the thing to William and John Sumner they seemed a little frightened about it. They heard people say they thought the course pursued by Mr Ends was injurious to them and to the King: never paid much attention to what he heard in that way. Those sentiments of disaffection have been

[illegible]

more or less prevalent in Honolulu
during the last 6 months. 258

Cross-examined by Mr Judd.
The reason for Mr Judd visiting
that witness should discharge
Patton was that he had got
very tipsy on the 4th of July,
and gone up to Mr Judd's
house in a state of
intoxication. Mr Judd did
not give as a reason for
his dismissal that witness
was under him. The simple
reason was that Patton
had been drunk and was
unfit to be a Head Officer
of Police. Nik Mr Judd said
he let get an apology &
witness was not a sufficient
reason for keeping him in;
that the public good required
his dismissal. Mr Robinson
lived out on the road to
Waikiki. Witness has lately
superintended the making of
a road to Manoa. He
heard a good many people
say that they thought a fast

Capt H

of the road would fall down. Such remarks do not prove that a man has not done his best — to make a good road. The principal difficulties this road makes here, are the precipitancy of the rises and falls of the ground and the force with which the water runs at times. The road also wears away very soon on account of the spongy nature of the soil. This road could be made durable by the use of block sand, even if they were of wood at times. If Mr Judd did his best with the funds in his power and using such materials as the place afforded however planned, he should think it rather hard. He heard remarks of disapprobation in regard to Mr Judd; which could conduct more

Capt

frequents during the last
3 or 4 months then he did
before that & heard there
was a paper in circulation
expressing that dissatisfaction
never seen it. Could not
say who was the originator
of that document, had no
idea on the subject. Heard
they could not get names
as people were afraid to
be the first to join; afterwards
heard there were names
appended to that document.
Never heard who circulated
it. Has heard the remarks alluded
to in Printed Story, has also
heard it from Capt Meek and
one or two Natives of Whales.

By Mr Robertson. Considers
that if Wilcox was not under
Mr Judd's orders he had no
right to insist on the
dismissal of Poepoe from
the Police. There is a very
large population live on
the road to Waikiki. Does
not think when Petitioned

Capt

out that way that that part of the county required a good road as much as Runcorn. This is so still, as there is a good deal of traffic there. Should say that if roads were made here with small stones as in England and hoops raised in the middle they would stand as well as the English roads.

By Mr Judd. ~~Question~~ Considers that the road to Moanalua is the most important road of all, as many large properties lie down that way. Did not make the Moanalua road with small stones because they had not yet the means to do so. Understood Mr Judd to mean that it was the principle upon which he would recommend the raising of loans. Still in dispute which would make the

Offt

lose all – the other lands.
Believes Mr Judd said it was the
principal upon which he was
trying to get that land which
would be added to the
Crown property if the Queen
lost all the other lands.

By Mr Robertson. The
idea conveyed was that people
were afraid to give the
document expressive of
a want of confidence in
Mr Judd, lest his influence
should be used to their
injury thereafter.

By Mr. Judd: When witness
in Kauai the keepers of prisons
were persons appointed by
the Govt Does not know how
it is in Kauai. In Lahaina
the men are appointed as
prison Keepers by Mr Robertson.
Does not know who appoints
the prison at Lihue.

H. Allen

The Commission then adjourned till Thursday
the 9th instant at 10 o'clock A.M.

C.P.K.

Palace. 9th Jan.y 1849

The Commissioners met again at the hour appointed.

Absent M.r K.e Ruanaidh and John D.r

John Meek sworn by Mr. Armstrong.

Recollects the wharf by the custom-house falling down, does not remember when it was exactly that it fell down. The 'Patriot' Bremen ship was lying there at the time. Thinks that wharf was not a good and sufficient one: It was built on stone piles, but thought the bottom was shelving so that a stone pile would be likely to slip when a weight was placed on the wharf. Thinks piles of wood can be driven down 8 or 10 feet through the mud in some places. A short time before the death of Selecchoker he called upon witness for the loan of some money. He said that his affairs

Cont.d

mortgaged to Mr Lindo and that if he did not pay the money on the day it became due he should lose his place. He wanted to borrow $450. He said he was afraid he should lose his property if he did not pay it that day. Bishop let him have the money. He had previously applied to Mr Cunningie, who would have let him the money, but that he was just about to go away. Capt Cook was present at the time when with lent the money. The premises were those by the seaside near the Fort. Could not say what the premises were worth at the time. The pilotage of whalers cost the Govt between $4 and $5000 during the year 1848. Does not think that increase on the last year has been brought any more ships here than heretofore. Thinks the same number of ships would have come if they had not

Capt

had taken pilotage. Never heard master of vessels complain of the pilotage; the only complaint of ~~the~~ labor dues. Think that anti foreign generally there has been a strong feeling of disapprobation for Mr Ludd's official ~~the~~ proceedings during the last 12 months. Has heard both naturalized foreigners and foreign residents speak on the subject frequently.

Cross-examined by Mr Ludd.

There was a very strong feeling of disapprobation for Mr Ludd's official character during the term of Lord Seymour's Mayoralty; it was principally amongst the English. The feeling must be more general amongst the Americans now than amongst the English, because there are

C.P.H.

to few English line compared
with the American and did not
leave so much of this feeling
of disapprobation at the time
when Fred Thompson could
not get his auctions license
and Commissioner Brosnan was
cut off as he does now. This
took about that time and
when the 'Californian' was
boarded there were some
few men. Shore very hard
about Mr Judd. This
that most every one was pretty
hard on Record at that time.
Bishop has himself expressed himself
publicly in disapproval of
certain acts attributed to
Mr Judd. Has disapproved in
public of some things done
by Mr. Judd. Has always
heard that the regulations about
the pilotage were introduced
by Mr Ends and Mr Batty,
and his disapproval of that
measure. Another thing he
disapproved of was the
dancing duty on a pound
steel that was imported.

C.J.H

The duty paid was $30. Mr Pratt said, he could not understand that any thing to the contrary of Mr. Judd; since then has been acting of it. Thinks the disapprobation for Mr. Judd's official character has been latter during the last four months than it was before.

By Mr Robertson. Thinks the disapprobation has been much more general; that is to say embracing all classes of foreigners during 1848, than it was before. Has heard Kekiokalani say that his brig was taken from him by Mr Judd and that he meant to sue him for it. Always understood the brig was taken away in consequence of his having injured some paper about drinking. If she was taken

C/H

away from him with out
compunction. that the letters
certainly an act deserving
disapprobation.

by Mr Judd. that it would
be a good plea not to
express an opinion till the
whale truth is known.
did not hear from Mr. Robertson
that it was Mr Judd and Mr Paty
who got up the new tax
about pilotage. heard it
from another party, but should
not like to give his name:
the party was a creditable person.

Mr Judd John Meek stated that
the Board having already decided
the principle that with foreign
vessels when called for
by one of the pilots, he has
frequently that Capt Reed
be desired to give the name
of the party from whom he
got his information.

The witness was allowed to retire
to ask permission of the party from
C/S

from whom he heard that Mr Paty and Mr Judd has been principally instrumental in getting up the law in question, to give his name, the Board being averse to employing the powers invested in them until necessary: although in this case they have as yet given no decision.

5. John Young sworn by Mr Armstrong. With her forgetting the day when he received his Commission as Minister of the Interior. It may have been about 1st March 1846. Witness knows of no document giving Mr Judd any part of the business in witness' department, but by conversation it was understood that Mr Judd and he should take part in the duties of the Interior Department. Mr Richards was to be united with Witness in discharging the duties of his department, but Mr Richards not being energetic the Gov't

would be devolved upon Mr Judd.
Witness appointed Mr Robertson his
clerk in the Interior Department
in June 1847. (Mr Robertson filed
the Complainant dated 10th June 1847)
Witness entered into that agreement
with Mr Robertson in good faith,
and for the purposes therein
set forth. Since that agreement
was entered into there has been no
clerk higher than Mr Robertson. The
portion of witness duties which had
devolved upon Mr Judd were
very numerous, the management
of the mills, the roads, bridges
wharfs, and some things relating
to land. It has been to from
the commencement of his holding
office, with this exception. that
those duties originally devolved
upon Mr Richards. This arrangement
was not provided for in the
law, but was made in consequence
of witness not being acquainted
with all the business and
it was only upon Mr Robertson
promising to assist him
and keep him out of trouble
that he accepted the office.
S.A.

6/14

when Mr Robertson was appointed
clerk Mr Rickards returned all
papers in his hand relating to
lands that were in his possession,
but ~~were~~ for almost a year previous
he had not rendered much assistance,
which accounts in part for
for witness's ruling on Mr
Gadsden. Mr Rickards admitted
that after Mr Robertson
was appointed he had
prepared some land titles
which had not been found,
altho' signed; but it was
one of Mr Robertson first
acts to find them accord-
ing. The agreement says
that Mr Robertson shall perform
all the duties of the Interior
Department under the Minister,
but that witness understood
to mean all those duties
which the head of the
department assigned to
him. Mr Robertson has not
failed to do the duties
devolving upon him.

Capt

Remembers that a petition for a license to sell spirits for the sailing Peto la Gravel and directed to writing was opened by Mr Judd. ~~Mr Judd opened and drafted petition carefully before the petition, although he cannot recall entirely about the last point.~~ Recalls distinctly having been informed by Mr Judd of the petition and his wife, but cannot say whether the petition was drafted by Mr Judd before he struck out writing or not. The business of granting licenses to sell spirits belongs within bureau of internal commerce. Never gave the duties of that bureau to Mr Judd, but in ~~that~~ cases of difficulty he assigned matters generally to Mr Judd. Remembers the French Consul making an application for land for a man named Remont. He and Mr Judd worked together in that instance as in many others. Mr Judd did not write

C of X

in relation to the Interior
Department with the Commissioner
of Public Works did
nothing with to communicate
with Mr Reid; they worked
together. In some cases
with Mr and Mr Lyons consulted
together in regard to the
repairs of Wharves, and in
other cases with Mr
Robertson and the
Department with to Consulting
Mr Wilder. Remember
the complaint of Mr Jas Lyons
about the repairs of a
wharf not owned in part
or wholly by Hawaiian
subjects. Mr Robertson told
with a view further to
that difficulty would arise
from allowing wharfs to be
repaired or Hawaiian
which were not owned
by Hawaiian subjects.
I heard Mr Reid and Mr
Robertson discussing that
point, but it was in Oct

Empl[oyed] and he did not
exactly understand it.
Perhaps it was thus Dr Judd
that vessels were to registered
there has been conversation
between them to that effect.
It was not till Dr Judd wrote
on the subject that with
Kaiwa that [illegible] naturalized
registered who had little or no
interest in the vessels registered
in their names. Remember
that while he (with[drew]) under
sick bath of the week Dr
Robertson asked his permission
to call upon Dr Judd for the
papers belonging to the
Interior Department deposited
in the Treasury Office; with
have his permission. (Dr
Robertson files his note to
Dr Judd on the subject, dated
3rd Nov 1848)

Examination of R. John Reid
resumed. Witness said the party
declined to allow his name to
be made use of. Witness declin
giving his name.

John Reid
Sworn

The Commissioners having by themselves discussed the point, resolved to send to Chief Justice the following question;

The Royal Commissioners have occasion to consult Chief Justice Lee upon the question how far it is consistent with law, right or usage or the powers under which they act as contained in the 1st Kamehameha III, to compel a witness to declare the name of the party who told him that Dr Liddiard and Dr Pat had together got up the regulations granting the exemptions to whalers from charges for pilotage, and request his opinion on the point.

Examination of John Young resumed. Witness remembers Dr Robertson's application to leave the service and go to California. He was willing that Dr Robertson should be provided a suitable person who could be found to fill his place. Has disagreed with C.P.H

Mr Robertson as to the capability
of the person mentioned. Perhaps
Witness may have said he would
write his opinion if Robertson
could get Mr Judd to give
him. He can't remember whether he said
any letter had passed between
Mr Judd and Mr Robertson on
the subject. Recollects perhaps
but very indistinctly if at all,
the finding Robertson coming into
the room where he and Mr Judd
and Kalama were sitting, and
saying to Mr Judd he consented
to the terms upon which leaves
to be allowed to Kiana.
Remembers Robertson asking
him the day when Lorrin Andrews
was coming to take his place.
Hears from Robertson that there
was an understanding to the
effect that he was to assist
Lorrin Andrews in the duties of
the office until he was pretty
well up and then leave.
Witness did not prevent Lorrin
Andrews from coming; it was not
left with Andrews should
come. Cannot say whether Mr
Judd informed him that there
was such an understanding.

C. F. H

Mr Robertson told with that he thought Mr Ends was deceiving him because he saw Andrews should come to take his place and afterwards pretended his coming. (Mr Robertson filled with the board a letter from Mr Ends dated 1st Oct 1848) Remember signing with Mr Ends an agreement binding the said Ends to pay Mr Ends $1000 for a certain piece of ground for a church plot. This was in Feb. 1848. The King heard of the transaction. That transaction was not passed by the Privy Council or board of Trade, but it was passed a long while ago that the whole question should be the (Mr Ends) own property. Both the King and Mr Ends consented on the subject and afterwards both signed his name to the document in question. The custom house had been

Both

principally built on the wharf and Mr Ludd was willing to relinquish his right for £1000 per annum. The contract is an agreement to repay Mr Ludd £1000 for a certain number of years, for the same term that is as Mr Ludd had any right to the wharf, but it was not an actual purchase of the land. Cannot say with to referring to the document to what it will revert at the expiration of the lease. Reference was made once to Mr Ludd about the terms of the cession of the island to Lord George Paulet. It was given him as a different in case he were dismissed from office. In November last signed a written agreement in regard to regulating matters in connection with the house which Lord Walter lives; Mr Ludd had had the management before; but not under writing. His idea was that the terms had been placed in Mr Ludd's hands before, but Mr Ludd this thought

Capt A

it had better be put in writing.
Does not know what particular
reasons existed for a writing
at that time; perhaps it was
merely that it had not
been put into writing before.
The document was drawn up
in native by Mr Judd; they
read it and signed it.
Signed it in their common room, the one
formerly occupied by Mr
Richards. Does not know
that Mr Judd ever bought lands
for govt; only knows of
those deeds this time
bought together. Has an
indistinct recollection about
a conversation about a
piece of Namauu's being
bought for govt, but that
is all he remembers about
it. Remembers buying a land
for Kaahumanu, he and
Mr Judd worked together
at that. The Privy Council
heard that a site was
wanted for an American
hospital, and a lot belonging
to the King was contemplated

C.f.H

for the purpose, but on that
that could not be got, Kitty
and Mr Rudd bought the
last of Kaalikiamanu and B
land close by. The Kuaua about
all the boats across. Kitty did
but the price was not settled by him
not buy the 'Keoua' from
Lelehoku. The Goat did
not buy her, according to
what I understand it was
left to Piikoi on account of
a bond that if he drank shit
he should forfeit his vessel;
a previous bond has been
taken: this was the second
bond of the kind entered into
by Lelehoku. Kitty and
Pakei were witnesses to the signing
of the bond. It was signed in Kaahumanu
House, Kitty They had hopes that
Lelehoku would keep sober,
but he did not, and Lelehoku
himself wrote a document
pencil
making over his vessel
and ordering Piikoi to
leave his captain put on shore
Everything about the ship
appeared pleasant. At the
time Lelehoku gave the bond
C. J. K.

both be and Mr Judd were
in Court, but with[illegible] does
not recollect any
[illegible] when the will
was [illegible] executed. What Kekiokalani
[illegible] the bondsmen were ready
to give [illegible] for his
then sale of Keoniʻi, can't
say whether he would have
included with his rights his
cattle and houses and
all that he possessed. Cannot
say whether or no the fact
of even all his property
being included in the
bond would have kept
Kekiokalani from Dr Kinney.
When Mr Richard bought
bought it was passed by
the Privy Council that it
should be used as a Court
house, but it was never
by him or authorized for the
purpose and found
unsuitable. Perhaps he
was authorized to carry
out that branch but
he left it to Mr Judd. [illegible]

was common to do so, in all matters connected with the coal houses. Shortly after which appointment to office he and the Keeper signed their names on a sheet of blank paper, which has forgotten ~~the object for which~~ the matter was that was to be filled in above their signatures. It is a long while ago. May have seen the paper since or may not, cannot say.

Mr Robertson requested that Mr George S. Kenway be summoned as a witness, and the Commissioners acted accordingly.

The Commission then adjourned till tomorrow the 10th instant, at 10 o'clock A.M.

C. J. H.

Palace, 10th Jan'y 1849

The Commissioners met again at the hour appointed.

Absent M. Kekuanaoa.

John Young cross-examined by Mr Judd. Does not know whether it was before, on after or at the time of Robertson's coming into the office that Mr Richards left off assisting Withington and Mr Judd commenced to do so. Robertson's commission was signed by Withington and Mr Judd. Robertson knew that Mr Judd was to assist in some thing. Mr Judd drew up the draft of the commission and Robertson copied it. Withington and Mr Judd arranged the work and Robertson did it, and this arrangement worked kindly for a whole year. Withington first knew that Robertson was dissatisfied about the time he wanted to leave for California. Withington approved at the time of Mr Judd's shewing Peter H Lewis's letter and what he did in the matter, and is still of the same mind. Lewis asked Robertson to bring

C.J.H.

that matter forward for his (with) own satisfaction.
In some cases with & Robertson acted by themselves and in all these cases with & consulted Mr Judd. Mr Judd also recommended that the registry should be according to Lloyd. When with & received Mr Jenkins objections to the way of registering them (Mr Wyllie, he did not consult Mr Judd until after the business was sent to Mr Wyllie. If the business of registering vessels had been done in Mr Judd's office in the same way as the remainder of the vessels had been and the cost houses, with a few Mr Wyllie's letters would have applied immediately to Mr Judd. In applying to Mr Wyllie, with & did not throw the blame on Mr Judd or use his name at all. With gave Mr Judd no notice of Robertsons having obtained his permission to apply for certain documents lying in the Treasury. Did not The object of giving Mr Judd a written authority for his management of the cost houses was that it was contemplated to release Jenkins Millers affairs about his bankruptcy and it was proper Mr Judd should have a power to show any foreman who

might be appointed to the
business. Mr Judd filed a bond
ship Lahaina, Maui, Jan 8th 1846
by Lelei or Laa. Remember the
King & Mr Judd coming
Paki and himself going to
Mr Judds residence, when they
were all at Lahaina with
the King in 1846 and speaking
about Lelei or Laa who had
been drinking. Paki stated
that Lelei or Laa had taken rum
in the King's house
and had been drinking there.
Paki's determination was to punish
him. Mr Judd interfered with King
Kekuanaoa for Lelei or Laa on the
occasion. Mr Judd proposed the
bond himself in the presence that
Lelei or Laa should have
another trial and not be
then deprived of his chiefship.
Paki finally consented that
the trial should be made.
The bond was signed and sealed
in the presence of witness and
Paki. Lelei or Laa was afterwards
grateful at the time for Mr Judds
interference. Before the

Ofc

witness and others went into the room at Kekuakua house on the 28th July 1846, Paki had complained that Kekuohaku was constantly intoxicated. Mr Young said let Kekuohaku be sent for and we will attend to it. They then drew up a paper with their several names (the one produced before the Commissioners by Mr Judd). Mr Judd said at that time to Kekuohaku that if he were sober and attended properly to the government of Hawaii he would always in future have his interest at heart with the power to get the money the value of the rifle returned to him. Mr Judd was the only one present who made any such proposition. Perhaps Mr Judd would not have & could not have taken the rifle from Paki had consented. Kekuohaku as he understood appeared to give up the rifle voluntarily, according to the bond. While they were in the room Kekuohaku wrote with his own hand an order to the Captain to deliver the rifle to

C. f. H.

Pinkoi (Mr Ends also filed a memorandum of the transaction at the time the repeal was ~~passed~~ (given up). Deleivhadrun after that kept sober some time. Afterwards he got drunk and forgot and the chiefs brought his chief-ship to an end. The king, members and all the chiefs ~~signed~~ signed the bond. The king knew of it from the first. Some approved of it and some did not. Some of them did not think that the bond was wrong but that Deleivhadrun would not keep his pledge. Does not know any private advantage that resulted to Mr Ends in consequence of this affair. If the affair should be brought to trial and found to be illegal, he thinks the court ought to award only small damages as the repeal was forbidden to them. ~~Does~~ It is not clear to him whether Mr Ends

C. J. K

(Observes any blame a the
matter. It was clear enough at
the time when he and the King
put their names to the blank
paper what it was for, but
he has forgotten and so has
the King who he asked about
it yesterday, but he learnt from
Mr Li that his impression was
it was an order for money.
The King mentioned in conversation
yesterday that he thought it
was an order to take part
of his private property and
convert it into money to
pay a debt due to J. Reynolds
but the property to be ~~taken~~
soldiers to be entered afterwards
when it was discovered from
the Chiefs what it was. The
the debt to Reynolds was
$16,000. This it was a
private affair of the King's.
Mr. business between Mr Ludd
Ludd and others. There has
been the best understanding.
Feels grateful to Mr Ludd for the

C/S

assistance he has given him.
Mr Judd has not assumed
the duties of the Interior Dept,
but takes it only with consent.
& willing to take upon himself
the responsibility for all Mr
Judds acts so done, it was
understood between
them, that if any thing
wrong were done he (with)
was to be responsible for
it. Has never requested Dr
Robertson to bring up any
charge against Mr Judd
in his (with) private account.
Say Mr Robertson. When Mr
Robertson enters the office
as clerk, with[illegible] did not
inform him that he was
to take orders from Mr
Judd, but he [illegible] and,
[illegible] a little while I [illegible]
Mr Judd. Does not feel
able to say whether the Comp
was written by Mr Robertson
or Mr Kalama.

Affd

(Mr Judd admitted that [illegible] written by Rolands) when Mr Robertson applied to him for permission to get the papers belonging to the Interior Dept from Mr Judd, with[illegible] was sick and confined to his house. I saw the charges were preferred against Mr Judd, with[illegible] and Mr Judd have conversed on the subject. The substance of the remarks was about this, With[illegible] said, perhaps you will be ~~found guilty~~ convicted upon the charges preferred against you, he said that I will appear at the trial. Have no conversation with Mr Judd about the charges; at the time when he signed the document about the public buildings.

[signature] Judd Jr

C.F.H

George. S. Kenway duly sworn
by Mr. John J.P. Nitsp
Has been residing at Waimea,
Kauai for some time past.
Has been transacting business
there for Mr French. Mr French
wrote to witness about 3
months ago to the effect
that he had made an
agreement with Mr Judd
to buy down to Honolulu
100 head of cattle.
Mr French ~~sent~~ enclosed
to witness, an order from Mr
an order Judd to Wm Bunkley to
deliver as they were called
for by Mr. French or his
agent 100 head of cattle.
Left down two decks loads
of cattle; about 54 head
when the vessel
came back after the second
trip Mr French wrote to say
that he got dealings or
he had declined taking
away any more cattle
just at present. The last
agent had when there

G.S.K

native arrived with some cattle ready; he seemed quite surprised. he came to see with the third time without having sent for. Beckley told with heaven quite prepared to subtle the number wanted to make up the hundred head.

Mr it was about the latter end of March that with cannon hill last and after again about the end of April. has at there were seven till within a few days. there frequently in March and April while here that amongst foreigners [illegible] of disappointment for Mr Lindo's official charents were removed. Such feelings, with should widely from various causes, were general amongst naturalized foreigners and aliens.

Cross examined by Mr Judd.

Knows Nothing about the conversation between Mr Lindo and Mr French except from Mr French. has not got

C. J. [illegible]

the order, Mr Berkley has it. When with first heard that Mr Robertson had brought charges against Mr Judd he felt surprised. Mr Williams & Mr Cummings, were anxious to get those from whom he gleaned at Marietta April last or previous that the feeling of dissatisfaction existed. It had no special relation to Waldo's affairs. By Mr Robertson. Believes Mr Berkley receives orders from Mr Judd; has not seen any orders but the one imprisonment mentioned, but has heard Mr Berkley speak of letters received by him from Mr Judd.

Geo. Kenyon.

During the proceedings of this day an answer was rec'd from Chief Justice Lee to the questions

Clk

provided to him yesterday.

Robert C. Bylle sworn by
Wm. Lee. Witness is not
aware of any formal
authority given by the
King in Council for
Dr. Isbell to control or transact
any specific portion of the
duties of the Interior Dept.
Has not seen particulars but
has not seen any provision
in the laws authorizing
a minister to depute any
part of his functions to
another person. Since
Mr. Roberts was appointed
in June last with his
not recognized any
official above Mr. Roberts
except Dr. Lee. Has
seen the letter of Mr. Dillon
to Dr Lee of the 11th of
inst. until after Dr Lynett
had given evidence
about it before this
Court.

Commissioner - Mr Judd has never exactly informed with the contents of that letter before Mr Garrett gave his testimony. Has understood from some parties that they felt themselves unkindly treated by Mr Judd. Would name first Mr Rice; Mr Lusk; Mr Gunnes; Mr Allen; in fact almost every person who by chance should be with us relative Islands were dismissed. Complained Mr Judd. Mr James also complained frequently. Understood from Mr Garrett before he left that he disapproved very much of Mr Judds political course. Has sent in Privy Council Since the 26th March 1845, to date the date of his commission. Kept minutes in English of the proceedings when the time of Mr Judd

C.A.H

appointed to [redacted], and still does it ~~in~~ order to preserve dates. The Privy Council ought under the laws to form a Board of Finance.

The rules of the Privy Council on financial matters have been considered as acts of the Board of Finance, altho' the Board has not been kept distinct. I cannot recollect having seen any rule passed in Privy Council authorizing Mr Judd to pay Mr Bates' draft for $1000 in favor of Mr Hill of Boston and drawn upon Mr Judd. I do not remember any thing being said in the Privy Council about the Custom house, or to Mr Hill being built upon Mr Judd's word. I remember Mr Judd having said something in Privy Council about his having written on the subject of the Board of Minister of Public Instruction

C. G. H.

to Mr Anderson of Mackenzie's
Mission at the time when it
was proposed to transfer
the place to Mr Armstrong.
So far as with full recollection
there is scarcely an instance
belonging to the department of the Interior and referred to Privy Council as having been
in which those
by Mr Judd. for the Minister
of the Interior have been
kindly known to the
Cabinet Council C. Cannell
says that he remembers Mr
Judd having given an account
to the Privy Council of an
interview between him (Mr Judd)
and the partners of Ladd & Co.
But there is can be more
satisfactory proof from
the records. There was a
motion made in Privy Council,
he thought by Patrick, that
Mr Judd be paid $1000
as a fee for his having
acted specially for the Govt
in the matter of Ladd & Co.
which that may have been
in Oct or Nov 1869. In some
of it

few cases in regard to a few and in one or two cases as regards to his report, Mr Judd has applied to me for assistance in his duties as Minister of Finance.

Respdt = By Mr Judd. I am aware that when the laws were originally drawn up by Richard the office of Minister of the Interior was intended for Mr Judd. Remember that supposing Mr Young to be unable by himself to exercise all the duties of Min of the Interior it was agreed that Mr Richard should assist him. I think he remember Mr Richard wishing that Mr Judd should assist Mr Young instead of him. I think it was in June or July that Mr Judd mentioned to me that Mr Dillon was endeavouring to create a railway of jealousy and prejudice against me in Mr Judds mind. Something to the same effect will be found in the Records of the Cabinet Council after the 15th May. Remember his advising Mr Judd in relation to Mr Dillon that hints that winks and Gal Nibbs were

C.G.H.

in league; to draw him out. Remembers Mr Judd stating something to the effect that if Mr. Dillon continued that course he must break with him. With[s] advising Mr Judd to be very cautious and get him to sheriby his charges. ~~The Premier~~ Mr Richards may have left minutes for the Privy Council for a time but does not remember. During the bishop and the death of Mr Richards and previous to the appointment of Mr Armstrong, there were perhaps 4 months that only three ministers met in the Cabinet Council. Think from what Mr Judd said previously that Parke acted with the knowledge of Mr Judd in the matter of the $1000, although Mr Judd at the same sitting denied that he (Mr Judd) made the allegations.

By Mr Robertson. Whatever something was said and perhaps noted in the minutes of the Exec

privy Council of his authority
Mr Robertson's salary; (which
appeared large when viewed
as compared with those of
other clerks) as to the propriety
of paying so large a salary
that Mr Justice Gwynne with the
assistance of Mr Robertson
would be able to fulfil
all the duties of his office.
The matter was clearly with
understanding of the
matter at the time.

R. C Weldon

23 Mr Robertson files applications
for certain other documents
to be produced as evidence
and it was ordered that they
be produced.

The Commissioners then adjourned
till Monday the 18th inst at
10 o'clock a.m., and that
in the mean while Mr Reid have
the use of the records to enable him to
prepare for his defence.

Clerk

Palace
15th Jan'y 1849

The Commissioners met again at the hour appointed.

Mr Mykie laid before the Commissioners a letter received by him from Mr Robertson, dated the 13th inst., expressive of his wish to leave for Manui and Hawaii.

The Commissioners put the following questions to Mr Robertson

First. Do you mean by your letter of the 13th to withdraw your suit against Mr Lids?

Mr. Robertson answered, No.

Second. In writing your said letter are you actuated by any distrust of the Commissioners in giving you fair play in making good your charges against Mr Lids?

Mr Robertson answered, By none whatever.

C. K.

It was then ~~resolved~~ noted by the Commissioners as follows: Resolved, That the Royal Commissioners after the ~~letter~~ request of Mr. G. M. Robertson contained in his letter to Mr. Moffie of the 13th inst. to ~~Mr~~ Chief Justice Lee, for his opinion in relation to how far the Commissioners with due regard to their duties to the King and to the parties, in the present stage of proceedings could ~~the~~ grant the license solicited in said letter: ~~and also that~~ Mr. Robertson having in answer to questions put to him by the Commissioners declared, that he had no intention in writing that letter to abandon his right or appeal at Law and no doubt but that fair play would be given him to make good his charges.

C. J. L.

Resolved, That the question be put to Chief Justice Lee, whether Mr. R. M. Robertson, ~~after being examined on his voire dire~~, could be properly received as a witness to support the charges by him brought against Mr Judd, or be called upon by Mr. Judd to give evidence on the part of the defence; and whether Mr. Judd, could ~~under similar circumstances~~ be allowed to make a deposition on his side.

Mr. Robertson then handed in his declaration, and on being sworn by the Spkr., M. Kekuanaoa, answered, in reply to a question put him by the President, Mr Wyllie, that to the best of his knowledge and belief that declaration was true. Mr Judd having previously withdrawn his objection ~~before~~ witness to the

A 25

C.C.H.

introduction of that evidence on the ground that Mr Robertson would answer such questions as he might put in the cross, and other questions relating to the charges and specifications generally.

Mr Judd however stated that it was his understanding that he should be allowed to make a similar deposition if he thought necessary, giving Mr Robertson the same right of cross-questioning.

Mr Robertson distinctly objected to Mr Judd being allowed to make any deposition.

Mr Robertson was examined by Mr Judd. Witness replied to General, using Mr Judd's draft as the groundwork of his note, and signed the note himself as Chief Clerk to the Mr of the Interior.

C. E. K.

did not know what were the first transactions in regard to the Kaw. At the interviews alluded to between with Mr Ewart and Mr. Lee, with did not distinctly say he would not send his his Charges against Dr Endo, but that probably he would not. This was about the 12th of Oct last: the Charges were not presented till the 15th or 16th of the same month. Does not remember the exact date when the 'Louise' put ashore at Kadiaak. Does not know whether the Charges had been previously Sworn to before the Governor, or whether during the interview above alluded to, Mr Ewart came to the door with a letter,

Capt

which started the ball
[illegible] on Thursday. With
reference intended the affair
of a liquor-bond being
returned to Mr Reilly to
come in the shape of a
charge against Mr Judd,
does not know that under
date of the 15th Jan's 1847, this
transaction is authorised
in the record of the
Privy Council. The over-
drawing by Mr Judd of his
account is one of the specific
charges. It is not aware that
on the 10th Dec 1846 Mr
Judd was authorised by
the Privy Council to borrow
£1000 of the Treasury.
I am not aware that on the
4th Feb 1847 the Privy Council
authorised the payment of
money to P. F. Mannini for
the old banquet of that
family. Reilly sitting
with Mr. Judd and Mr Patty as

C.G.H.

a committee became into some difficulties about the Treasury Books. Does not recollect any written report being made.

G. W. Robertson

A 26 A letter was received from Chief Justice Lee in answer to the 1st question put to him by the Board this day.

A 27 A second letter was also received from Mr Lee in answer to the 2nd point put by the Commissioners this day.

Resolved, that having read Chief Justice Lee's opinion the leave be granted to Mr Robertson which he solicits in his letter of the 13th inst.

Cf. H

It was then stated that the
Commissioners adjourn till Monday
the 22nd instant at 10
o'clock A.M., when Mr. Judd
would proceed with his
defence, and that in the
mean while Mr. Judd have
the use of the records

304

Palace, 19th Jan. 1849

A 28 The Commissioners met again this day for the special purpose of considering certain questions put by Mr Judd to Mr. Boyllie under the date of the 18th inst.

The Memorial of ~~Mr~~ Robertson to ~~the~~ King of the date of the 11th Oct. was read by the Commissioners. as was the King's Commission of the date of the 29th Nov.r. Also the oath taken by the Commissioners, and the Specifications handed in by Mr Robertson on the 4th Dec.r.

A 29 A draft of a letter was prepared ~~draw~~ in answer to Mr Judd and it was voted that it be adopted by the Commission, and that the president answer Mr Judd accordingly for the Commission.

A 30 Mr Armstrong handed in ~~the~~ his objections to that course.

The Commissioners then adjourned till the day previously mentioned, namely Monday the 22nd inst.

Cft

Palace 30th Jan 1846

The Commissioners met again this day, after a readjournment

Mr Judd called the attention of the Board to an omission in the record on page 3 of the name of Mr Armstrong amongst those who were sworn to act as Commissioners

This omission the Secretary was ordered to correct on page 3 by introducing Mr Armstrongs name

Mr Judd also said that on page 47, where a remark of his, about allowing Mr Robertson to introduce any kind of evidence is recorded, there was an omission of the words 'provided such testimony was not to be received as having any bearing on the case'

This entry was sanctioned by a vote of the Commissioners.

C. of H

3A

A31

Mr Judd then read a document making exceptions to the ~~charges~~ reply of the Commissioners in answer to the 5 points submitted to them and answered on the 16th inst.

This document was admitted by vote of the Commissioners.

Mr Judd introduced his commission as Minister of Finance to establish the points of the charges dated on the 13th April 1846.

A32

Mr Judd then read his ~~argument~~ argument on the 7 first charges.

Kinimaka sworn by Mr Richardson. The planters have worked on Mr Judd's private Grounds about his residence — he paid for it. Mr Judd paid witness for Govt for that labor. Witness has not been paid with the money he received. He drew less in consequence for the Govt

food of the prisoners. Witness
set the price together with Mr
Ludd. Mr Ludd found some of
the food for them while
working at his place. Mr.
Ludd offered 25 cents per day
for each man. Witness
agreed to that price.
Mr Ludd also gave them
molasses and water to drink.
No deductions for the food
and molasses and water.
Mr Ludd signed the document
appointing him Superintendent
of the Prisoners. The Gover-
nor told witness to listen to
Mr Ludd in matters relating
to the prisoners. Thought on
reflection it was the Gover-
nor who signed his commis-
sion but he had not looked at
it.

Kinimaka

Mr Ludd then read his argument
on the remaining points.

The Commission then read journed
till tomorrow the 21st instant
at 10 o'clock.

A 32

Palace 21st Jan'y 1848. (T)

The Commissioners met again at the hour appointed.

Asher B. Bates recalled as a witness under his previous oath. Questioned by Mr Judd. Dr Judd was absent from Honolulu for about 6 weeks after. with's arrival here. think two or three days after Mr Judd's return he spoke to with's about the foreclosure of the mortgage on Judd's premises. Think that before he actually receives his commission under his appointment as attorney for Govt Mr Judd told him he was appointed and gave him the deeds telling him to foreclose without delay. Mr Judd told. with's that there had been an attempt made to

A.F.H

foreclose the mortgage against the Gardners, but obstacles were interposed which induced Mr Reed to withdraw the suit. Mr Judd also said it had not been foreclosed on account of their being a lawyer here whose hands he (Mr Judd) could not trust it. Mr Judd stated that he expected all kinds of objections would be made by Ladd & Co & their assignees and that he waited with the Courts at the hearing with great care and carefully examined the case. The case is not yet settled. the first obstacle was that the assignee stood upon the Belgian Contract, and this is a second obstacle alleged that Ladd & Co were not bound by Ladd & Hoag who made and signed the mortgage; they also alleged that the petition failed to set forth

was not formal and according to law. Mr. Harper as the guardian of Wm C Littles also pleaded the Building Contract, and further that the subsequent mortgage taken for the benefit of young Little was taken with the knowledge of the Gov and Mr Reid who represented this Govt without their giving information to Mr Harper of the existence of a previous contract. Thus it is now over 5 months since Mr Judd put the papers into his hands. Mr Judd has frequently called with his attention to the subject and

6/4

would have brought the matter forward.

Arthur C. Bates—

Henry See recalled under his previous oath. Questioned by Mr Judd. Resident being present when a wheelman called Rob Irwin was by Mr Thompson sold by him with as Marshal under powers directed to him. With the stated that he was not aware of there being any mortgages, there might or might not be, the purchaser would run that risk. Mr Reynolds' stables formerly and seen there was one that he knew of. Cannot exactly recollect what animal sent the wheelman Irwin subject to. Should say Reynolds stated most materially injured the

C. of H

Sale of that Lot. He thinks that Mr Reynolds said made ~~he did~~ but there was a difference in the amt ~~paid~~ bid ~~of~~ ~~Mr~~ Reynolds. Does not recollect who was the purchaser.

H. Kai

W. E. Maikai sworn by the Govt Examined thro Jno. Judd. Witness was clerk to the legislature assembly during part of the last session, before it close however he was dismissed. Witness was present when the Appropriation bill was read and past. That bill was in his own hand writing. Remembers Doctor Judd bringing the bill back and wishing to have some alterations made in it. That alteration was past by the assembly

C. H.

and with[illegible] made the
necessary alterations with
his own hand. He erased
a figure and then footed
up the list, it had not been
footed up before. The King
and Premier signed it
after the alteration. This was
purchased in May 1848. With
regard Kalaimoku was appointed
Secretary after his Dismissal.

Wm E. McKean

A Bill sworn by the
Govt. Examined by Mr
Judd. With[illegible] our[illegible]
delay a meeting of
some work for the King
which was committed
to his management.
Went to Mr Judd to get $500
for the Billiard House, which
was[illegible] returned by
various parties subscribing.
Mr Judd said he would
only advance it if it

Capt

were charged to Mr Ps private account. All the subscriptions have not paid. $600 have not been paid up. The house was for the convenience of the King and Mr Ps. The half of the $500 borrowed rest upon with Mr P. Recollect a conversation in the Privy Council about Mr Bates being sent for and the gov^t to engage to pay $1000 to bring him out. Think this was shortly after Mr Rennie left. Does not recollect any note being passed by the Privy Council about bringing Romanis here at Pitcairn. Remember a vote was passed about purchasing Bodilicamani

6/14

land Kaneaka.

" " " A. Pahi.

M. Kekuanaoa sworn by John Ii. Examined by Mr Judd. Remainder the vote being passed ~~exempting~~ ~~from~~ ~~taxation~~ $1000 to Mr. Bates for his passage and. Mr. Rhodes was present he thinks and Mr Wollie and Mr Dickens and ~~and~~ others. The talk was about two of Mr Judd's relatives. For the how much was to be paid them to bring them out. The $1,000 paid by Mr Judd for Mr Bates draft is one of the same authorized to be paid. (Mr. Judd read a deed ~~dated~~ the signature of M. Kekuanaoa conveying to him (Mr Judd) for 99 years the lease of a wharf lot in the ~~wharf~~ C. C. H.

harbor of Honolulu,
dated 15th April 1843,
and abstracted by the
King and premises
whose signatures ~~[illegible]~~ are attached.
~~Also~~ Mr Judd also read
a similar
~~Copy~~ copy of and the
wharf bat. dated also
~~the 15th~~ April 1843

The witness said the words
alluded to, and ~~for~~ which
~~that~~ ~~between~~ ~~persons~~, was
for persons done the last
he had an other assistant
during Kuhaia's time
until it were from
Mr Chamberlain.
Witness had a small wooden
building in Kalia Kaiwiloa
at that time where three
clerks were employed.
Mr Judd had the regulations
of that office altogether.

Off

with depended upon Mr Judd to draw up leases, agreements and documents of all kinds: Mr Judd was principal interpreter during the administration of Kinau. Mr Judd was the only physician of the chiefs from his arrival here till the death of Kaahumanu. Mr Judd was also the only physician of Kaahumanu II (Kinau) during her whole administration. That was the reason why Kinau gave her name to Mr Judd's eldest daughter, for favors rendered. With [illegible] said Mr Judd never appeared wearied of assisting them by day or night. When they had difficulties with Consuls and [illegible] of war, which was never often, Mr Judd was their assistant. Mr Judd was not in the habit of begging

C. F. H.

for recompense for what he did. He used to say he only wanted to help them in compassion for their ignorance. If he had not assisted them the foot would have been lost for when he entered the service of Kamehameha the took hold of the foot and discharged them. Remember that just before the capture of the island there was a conversation about the visit of Kekauluohi to give Mr Judd Honolulu as a remuneration for the services he had rendered. Remember that Mr Judd prefered taking the whole of Lots meaning Oahu

in the deeds sent by Mrs Judd to Manoa. The cession of the islands took place in February 1843 on the 25th day. With understood the whole facts were known to Mr Judd on a recumpence but he might lose office for the cession, and that was why the promise was made at that time. The Chief had not thought of giving Mr Judd any reward until it was brought out by this occasion. The deeds were signed at Lahaina 2 months after the cession, Mr Judd had not been turned out of office in the mean time, but had been doing many things as before. He still held the office he did when Mrs Richards went away. He was also agent for the King in the British Commission. Remember

Capt

that at the same meeting of the legislature when it was in session when the deeds were signed. Mrs Ende's salary was raised from $700 to $1500 per annum. The wharf lots were given for past services. The King never expressed a wish that Mr Ende should return those wharf lots to the Govern—t. Kekauluohi never expressed a wish that he should give up those wharf lots. They could not do so because they knew the value of Mr Ende's services. The King and Chiefs still wish that Mr Ende should enjoy those wharf lots until the termination of the term. Bishop has never requested giving Mr.

G. P. K

Judd those lots, and rejoices
in the act. The chiefs have
rejected Mr Judds ~~==~~ withdraing
his services at that time.
The chiefs considers the
wherefore lots a small
affair compared with
Mr Judds services. Remember
that Mr Armitage has never
been paid in land for past
services; he was a missionary
when he performed those
services. Mr Wyllie handed
in his claim for services
in the other day in lieu
of past services. Knows that
Mr Judd came up to the
point in Feb. last the stamp
lot No 2. Mr Judd made known
his wish to return the lot
to the port and the chiefs
assented to it. It was
understood that Mr Young
should purchase a site
for the Custom house on that
lot No 1. Mr Judd has
never ~~pain~~ disclaimed any

C/f

constables: He has never given permits to seamen. With ~~the tables the act~~ has done those acts altogether, and takes the responsibility on himself entirely. Mr. Ludd from the time they were associated with Knaine to this time has assisted him in a great number of public affairs and does so to this day. He has advised him with regard to the military and assisted him in the arrangement of the prisons. Mr Ludd assisted him in arranging the boards for cattle etc. Also in regard to the two officers, native judges, pounds, and markets. Nitsh has and does rely upon Mr Ludd for assistance in a great many matters. He does

And wish to act alone but consults with some one else, with Mr Ludd or Mr Armstrong or someone that knows; the other Chiefs do the same. There is nothing in the part of Mr Ludd's duties as Minister of Finance does not consider these things an interference on the part of Mr Ludd, the object is that Ministers may be straight and the Govt avoid difficulty. Mr Ludd assists with Chiefs because he (with Chiefs) wishes it and he (with Chiefs) begs the assistance Mr Ludd has never asked for any pay from the time up to this day. He never asked pay from any of the Chiefs. He should call on Mr Hollis in the same way if he understood the native language. Feels grateful to Mr Ludd for assisting the Govt

C. F. H

If Mr Judd begged for land in pay for his services it would be proper. Remember a suit instituted before him to foreclose a mortgage on premises of Laddi & Co. Plaintiff It was argued the foreclosure could not be decreed because the thing was in some way connected with the Belgian Contract and there was claim of Wm. C. Little that interferes. There was a pendent [illegible] and conversation and finally Prince Lelio it was better to suspend the thing. Remember Kaikeo was giving Mr Judd a land at Pawaa. Mr Judd was a missionary at that time; it was shortly after his arrival. The land was given for medical

C.f.H

services rendered to the King and Chiefs. The land was waste at the time, sand only, no grass, and swampy. No Kaile on it. There was nothing valuable on it but a few Cocoanut trees. Mr Lunds enclosed it and planted it with grass. The plan paid it himself. The King and Chiefs have never wished him to give up that land. Kitty signed the Commission given to Kinimaka, and instructed Kinimaka to listen to Mr Lunds' orders. He heard given the direction of that work to Mr Lunds before Kinimaka took the ~~office~~ appointment. It is a common thing with him to give parties written instructions and then give them verbal orders to take Mr Lunds directions. The responsibility is upon

C. L. H.

with P. Kennedy Esq.
W. McKennan

The Commissioners then adjourned till tomorrow the 1st of Feb. at the hour of noon.

Palace, 1st Feb: 1849.

The Commissioners met again at the hour appointed.

John Young recalled as a witness under his previous oath. Witness deposed that he remembered a purchase of land of the Manini family. Was not certain whether it was first in Privy Council. The two wharf lots mentioned in the deeds (Mr Judd reads them to him) were given under a supposition that Mr Judd might lose his office by the Govt passing into other hands, but the intention was that he should enjoy them equally whether he were dismissed from office or not. The islands were ceded to Great Britain on the 25th Feb 1843. The Chiefs were assembled in Lahaina in the April following for legislature purposes. Mr Judd

Cr f.k

was still in office. He had taken a new office as the Kings representative in the British Commission. Never quite understood the whole affair whether he continued in office or not. Never heard the King or Kekauluohi express any wish that those chiefs. should be restored by Dr Judd. Never had such a wish himself. From the time they were given he has never heard any chief express any wish but they should continue Dr Judd. Dr Judd of his own wish and accord cancelled the lease for the Cat No 2. Mr Dr Armstrong assisted him (with G) in the business of the Ministry of Public Instruction for a short

O/H

6 months before coming into office. During that time Mr Judd was assisting him (with) & every day in his duties as Minister of the Interior. Cannot say whether Mr Judd spent more hours than Mr Armstrong in assisting him during those six months. Mr Judd had charge of the post offs during those 6 months; also the cutting of stone, the management of the teams. There may be as many as a hundred yoke of oxen & cattle. Mr Judd also has the cattle, & horses, sheep & hogses of post and his charge at the time. Mr Judd spent some hours every day in superintending the building of the custom house during those 6 months. There are also a good many

C. G. H.

the cargo in which Mr
Judd helped him. the
time Mr upon the whole
Mr Judd may have
rendered nine hours of
service during the
said 6 months.
Mr Judd has assisted
him more or less, ever
since he took the office
of Minister of the Interior;
but more since Doo Kahinu
ceased to assist him.
He has not been paid
for extra services. (Mr Judd
read a bill of sale of the Clase of
the 21st Feb 1848, conveying
a wharf lot to the late
and executed by him.
Mr Judd also read the deed of
sale given him by Mr Rea
for the sale lot when it
was bought by him at
Marshal's sale, dated
12th July 1847. He also read
an agreement entered into
by the

between the Minister of the Interior and L. L. Judd in the effect that the Agent of the Wharf lot No 1 be ceded to the Govt and Mr Judd to receive from the Govt the purchase money and of the said $1000 per annum during the remainder of the lease. Dated 24th Feb 1848.)
Mr Judd did not indorse with his sign the document containing the agreement. They conversed on the matter and the King said 'It was well' ('Ua pono no'). The terms of this agreement is of the same character with the deed by which the wharf lot were originally given to Mr Judd. There were frequent conversations some two years ago as to where the new custom house should stand. Before the lot was sold by Mr Sir the Marshal, it was thought that the said wharf lot was the best site; another lot which had been thought of had been considered too soft. Remember Mr Judd saying that if that lot was exposed for sale at auction he would probably buy it, and so he

Lewis to let the post have it. Remembers that when Mr Judd had brought the last he said he had done so and the post could have it. Mr Judd said he could begin the custom house if not at once, and afterwards arrange the papers. (Mr Judd read a document relating to the management of Govt vessels dated 7th March 1846.) Mr Judd did not induce him to sign that document, it was Mr Richards who induced him to do so. He understood Mr Judd would in so doing render assistance to him in his department, but not as minister of finance. (Mr Judd also a document relating to Govt buildings dated 15 Novr 1845 Copy

Mr. Ludd did ~~not~~ offer ~~[illegible]~~ as a reason for his giving that document that there would perhaps be some arbitrators appointed about Lieut. Ribbon's house, and he wanted to be able to show his power. That was the only reason Mr Ludd adduced. When witness gave Mr Ludd the document about post depots in 1876, Mr Ludd had charge of the post building P.O. when Elia Kuhia came & with & wanted to sell his land, & sent him to Mr Ludd to arrange about it, who sent him back, & after that Mr Ludd & witness conversed on the subject and the land was bought. The land bought of Stevens was taken in exchange for a debt owned the Govt. It was immediately sold for the term of 50 years to Mr Shillaber for cash. $200 was the price.

C. f. H.

With regard to the Mamini lot Mr Judd said it was a good piece and they agreed that it was so and procured it accordingly. Mamini was paid part in money and part in cattle. Remember the purchase of a piece of land belonging to the Kaoe family in the rear of Damon's house. It was afterwards rented to Damon and Mahee as a profit. Remember the purchase of land of Kaahiliamanu: the lease of Paki: the piece of land of Kaoe in Kihi: these transactions all belong to his department. Some of them have been past in Privy Council and some have not. Think he remembers something about two lawyers, relatives of Mr Judd, being shot[illegible]

of ci Privy Council; such
ci his impression; thinks
Mr Reins and Mr Richards
were in the Council at
the time. Recollects there
was something said about
advancing money but
cannot remember what
was the precise matter.
Does not remember any
lands being purchased of
Kaneenies or Kanekad.
The responsibility for these
purchases fell upon
witness, who holds the
office; because he has
consented that Mrs Jude
should assist him.
Remembers Wm Duncan
being engaged to mount
a field-piece. Recollects
also being given to Mr
Rhodes to buy a
machine to sell beef.
The ~~books~~ accounts
with different tribes are
kept in the books of the
Treasury Dept. the money is
also kept together with that

C. J. H.

of the Treasury Dept. when Mr Judd pays money for goods supplied he pays it out of money belonging to with Dept of the Interior. The transactions ~~between~~ about the fruits pieces and Mr Judd pays Rhodes belong to with Dept of the Teams and buildings also belong to the Dept of the Interior. Lands and land rents also belong to with Dept of the Interior. Roads, wharves and prisons also belong to this Department. When Mr Judd makes payments for these various matters of business he (with Dept) pays on written orders. Mr Judd does all this business as with Dept assistant. In short with with Dept in these matters Mr Judd does not conceal any

C. Hall

thing, but talks freely. Knows of nothing wrong done by Mr. Judd as his assessor, if he had he should have mentioned it. For all this, a Chinaman considers himself responsible to the King. Under with Mr Judd's head direction of the Pawaa lands. The fence at Pawaa is longer than Mr Judd's adjoining; the front part of the land is stony in part. Mr Judd's part has much good grass on it. The fence between them may have fallen down; does not know. The goat cattle and horses run over Mr Judd's lands as well as the goat lands. He took have more horses and cattle at Pawaa than Mr Judd has. The goats derives more advantage from the arrangement than Mr Judd does.

Does not know why it was on that ground that the butter from Kauai was to be divided between the Palace

Cf. 1+

and Mr Judd's private
house. I think the mortgage
on Lord Worsley may
not have been settled
before an account of
the contention. Understood
the proceedings were
afterwards delayed till
a lawyer should arrive.
(Mr Judd read a document
containing orders given by
him to Joseph Gardner
on the 2nd Sept 1848,
about the goat sheep).
Mr Judd did that by with
order; it is for Mr Judd
to judge whether it was
right to assign his name
as minister of finance. Perhaps
he would not in a hurry,
according to with idea
he thinks it was no
matter for Mr Judd
who has charge of the
finances to talk care of
those things, although it
properly belongs to

with dept. Part of it was a mistake in Mr Lindo's writing to Min. of Finance. The purchase of a house lot of Rebacca Shiv Bonnes occupied by Judge Andrews was passed by the Board of Finance, it belongs to with dept. (Mr Lindo also read an agreement between the Min. of Finance and Salem P. Handchett, giving him liberty to erect a small house for the sale of provisions on a lot near the dear side belonging to Govt.) with dept and Mr Lindo conversed about that matter before it was done. It belongs with dept.

It may have been a mistake on the part of the person who drew up the document to say the Min of Finance.

(Mr Lindo read an agreement with Miguel, (Miles) about taking care of cattle belonging to Govt at C. of H.

Waiuna, between him and the minister of Finance.) This matter was arranged between them before the agreement was drawn up. Suppose it was on account of habit that Mr Ludd signed "the" Dom as minister of Finance.

(Mr Ludd read an agreement between him ~~as~~ on the part the Minister of ~~Finance~~ the Interior and John Meddle about slaughtering cattle, dated 20th June 1878). Witness considers that document correct.

(Mr ~~Ludd~~ produced an agreement between G.P Ludd per the minister of the Interior and George Charmen about repairing the presin at Waiuna) Witness considered that document all right. (Mr Ludd read a document concerning a butchers shop to be placed

G.P.L

on the pool of land. The deed
said to be between Robinson &
and the Mr J the Interior
attys Robinson. We only
signed it) Mitch considered
that document all night.
(Mr Judge also read an agreement
between the Mr of Finance and
Mrs Meek about a butcher
shop by the sea side) Mitch
Mitch here about that
agreement before the
document was drawn up,
the putting Mr of Finance.
was like the other cases
where it was done so.
(Mr Judge read an agreement
between the Mrs of the Interior
and Geo Charmer, about
pool cattle at Hoolehua, dated
1st July 1847) Mitch
considered that agreement
all right. The agreement
produced between Isaac
Kerhatte and G P Judd
about taking care of cattle
was all right. The agreement
with Kuluwaiki Ahuawa was
all right; so was that
with Charles E. Hitchcock.

C f H

In all these matters which have been brought forward all the monies paid have been paid with his knowledge and approval. Kimie Ina.

Mr Judd read a document explanatory of his interpretation of Mr Robertson's views in bringing forward the charges against him. and filed the document then spoken of.

A 32 1/2

The Commission then adjourned till Saturday the 3rd instant at 11 o'clock.

R. F. H

Palace, 3rd Feb: 1849

The Commissioners met again at the hour appointed.

The Commissioners examined the list of documents called for by Mr Robertson, and it was resolved that in examining those documents they would do so by themselves, only calling in Mr Judd or other parties to offer explanations where they deemed such a step necessary.

The Secretary drafted a letter to Mr. Judd which was approved of by vote, calling for the said documents so far as related to those in the Treasury Office.

It was also determined to meet again on Monday

C.C.K

349 the 5th instant at 10 o'clock
A. M.

Honolulu House —
5th February 1849

The Commissioners met again
at the hour appointed.

The Commissioners examined generally the Collectors Gen'l quarterly accts from 21st Oct 1846 to 31st Dec 1848 inclusive, in all 10 accounts, in each of which the Treasurer is debited with $625 dollars for his pay, charged in one instance for Collectors salary alone, but in most instances as salary for Collector & Auditor of Finance. In all these accounts a balance is carried on to the new account of the succeeding quarter.

The Commissioners examined the letter of G.P. Judd to the Minister of the Interior of the date of Feb 13, 1847.

The Commissioners examined the instructions signed by Mr Judd as Min of Finance to Joseph Goodrich concerning

C & H

the Governor's sheep and dated 2nd August 1846.

The Commissioners next examined the bill of sale given by John Stevens on the 16th of August 1847 to the Rev of the Interior for a portion of his house lot in Honolulu in exchange for a piece of land owned by him to the Govt.

The bill of sale signed by John Stevens on the 7th April 1846 not produced in by the Min of Interior in the mind of it having been mislaid previous to his appointment to office.

The Commissioners next examined the deed of sale executed by Kamanui of a piece of land at Punaluu executed to the Minister of Finance on the 15th Feb 1847 for $400

They next examined the deed of sale executed by C. H.

the Lock for a certain house and lot in Charlestown on the 5th Month 1847 for $295-7:75

They next issue a deed of sale of land executed by N. Hadlikinaan on the 13 Sept 1846 to the Lot thus John Young for $300. in extinguishment of part debt of his Imprest.

The deed of sale alluded to by Mr Robertson as having executed by the Queen and Kaneamin on the 23 June 1847, not as mentioned as Mr Linds says.

They next examined an agreement between the Mrs J. Jones and Salem P. Hancheth dated 21st Augt 1848 giving the latter leave to put up a house on a wharf lot belonging to Lot he paying a pound rent for the same not to exceed $1 per week.

Oahu

They sent accompanied an agreement entered into between the Min of Finance and Principal ~~for~~ dated the 1st day of 1848, concerning the charging of the cost cattle on Kauai

They sent enc^d an agreement to slaughter cattle between John Meddes and G. P. Judd for the Min of the Interior dated 20 June 1848

They sent enc^d an agreement between Geo Charmen and G. P Judd for the Min of the Int^r about repairing the prisons in Waimea, dated 21st July 1848 (docketed 21st Nov^r)

They sent enc^d an agreement between J. Robinson & Co and the Min of the Int^r about a butchers shop dated 1st Feb 1847

They sent enc^d an agreement between G. P. Judd, Min of Finance and Geo Meek about a butchers shop dated 1st July 1847

A of A

They next exd an agreement between George Chapman and G.P. Judd for the Use of the Interior about taking care of Goat Cattle and dated 1st July 1847

They next exd an agreement between G.P. Judd and Isaac Marbuttle about pasturing cattle belonging to Govt at Kaalaea dated 1st Jan 1847

They next exd an agreement between G.P. Judd, Wm Finau and Wm Duncan about mounting a fish piece dated 19 June 1847

They next exd a mortgage entered into between Kanaina and G.P. Judd. Wm Finau a lease, dated 18 Sept 1848

They next exd a deed of sale executed by A. Parke to John Young for Govt of a lease, dated 15 Augt 1848

They next exd the deed of Asher B. Bates to G.P. Judd, dated

C.J.H.

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Boston 22nd Sept 1847 for $1000.

They sent enc. G. P. Ludd's bill of sale of his interest in Lot [illegible] of the Instr. for Govt dated 25 Feb 1848 for $350

They sent enc. a contract entered into between G. P. Ludd and the Sec. of Interior, by which the latter engages to pay the former $1000 for Lot from 1st Nov 1846 till 15 April 1876 for a consideration on the cheapness of wharfage &c.

They sent enc. a deed of sale executed by P. T. Manin dated 17 Feb 1847 for $1200 of a piece of land in favor of Govt.

They sent enc. a Deed of sale enc. by Elias Kitchen dated 12th Sept 1848 for a piece of land in favor to John Young Sec. of the Interior for the post.

Copied

They sent enc. W.R. Lee's order on the Min. of Finance for £20 to be paid to Mr Pakington for services rendered the Land Commissioners as an appraiser dated 17 Jan. 1848.

The Treasury Book for 1844 not produced as Mr. Judd says the transaction took place before the appointment to the office of Min. of Finance. The books & records of the Privy Council to be written hereafter.

They send enc. an agreement between G.P. Judd. Min. of Finance ~~dated~~ and Kuluwaimoku dated 22nd May 1847, engaging the services of the latter in the dept. of the Min. of the Interior.

They next enc. an agreement between G.P. Judd. Min. of Finance and Chas. E. Hitchcock dated 1st Jan. 1848, appointing him Dr. of the Govt. Prison & Penitentiary

The clock about a chronometer not forthcoming it having been returned to Stanley Lomax to whom the chronometer was returned by them

They next read the powers relative to Court of Enquiry prior to Mr Enderby Jr Young Mr J. the Letters on the 15 Nov 1848

G. M Robertson's letter to Mr Enderby of the 7th Oct 1848 has been perused and examined

They next read the powers to regulate Court of Enquiry by Mr Young to Mr Enderby on the 7th March 1848

The Court then adjourned till tomorrow the 6th instant at 12 o'clock AM.

C.P.H

Honolulu House
6th Feb: 1869

The Commissioners met again at the hour appointed

After some discussion as to the best mode of proceeding it was agreed to read over the evidence to discover where references were made to the books, and examine the books alluded to as they came in the order.

After reading to the end of Mr Lispenard Wilder's evidence the Commission adjourned till Thursday the 8th inst at 10 o'clock A. M.

Honolulu House
Thursday 8th Feb 1849

The Commissioners met again at the hour appointed

The minutes were read & confirmed

The Commissioners looked at the books in regard to the entries &c. for the purchase by Govt of his land in Honolulu.
It was voted that a copy of that account be called for.

They also looked at the books in connexion with the payment of Mr Bates draft for $1000.
It was voted that a copy be procured of the a/c headed 'wharf' 'wharf No 1' 'wharf No 2' 'wharf No 3' and 'wharfage acct'

They next examined the books

Adjd

in connexion with the two
Lines of Wood decree by
Mr Judd for rent of wharf
according to this agreement with
the Min. of the Interior.

They also examined the
"ale" of the Auditor & Inspector
General - Collection of Duties.
It was agreed that Mr Patys
a/c as Collector and his ale
as Auditor be passed.

It was noted that the accounts
of all the government vessels
be copied, and Freight ale
for the use of the Commission

They also looked into the
'Govt Lapse' ale and
noted that a copy of
it be furnished.

They also looked at the
'Cattle' ale and ordered a
copy of it to be furnished.

It was then agreed to adjourn
till tomorrow the 9th inst at
10 o'clock.

Cfb

3/61

Honolulu House
9th Feby 1849

The Commissioners met again at the hour appointed.

The Commissioners resumed the reading of the evidence with a view to discover how documentary evidence has been alluded to, and read to the end of the evidence of the Interpreter.

It was then noted that the the Commissioners adjourn til tomorrow the 10th inst at 11 o'clock.

C. J. H

Honolulu House
10th Feb: 1849

The Commissioners met again at the hour appointed.

They read in native and English the evidence taken from that of Wm Lee Paty to the conclusion of that of A.P. Everett; ~~both inclusive~~.

And then adjourned till Monday the 12th inst at 10 o'clock A. M.

B.F.H

Honolulu House
12th Feby 1849

The Commissioners met again
at the hour appointed.

They read over & corrected
& signed the evidence and
record generally from
the commencement of the
deposition of Messrs Rhodes
to the end of the evidence
(that of Jarrett) taken on
the 10th. Inst.

They then adjourned till
tomorrow the 13th inst at
10 o'clock.

Capt

Honolulu House
13th Feb: 1849

The Commissioners met again at the hour appointed.

Resolved that whereas the presence of the Govr, M. Kekuanaoa, at Kauai may enable him to save his vessel, and whereas the King and Premier have made up their minds to proceed to that island, he be allowed to go, but to return as soon as possible, and that in the meanwhile the other Commissioners proceed in the analysis and preparation of the evidence with a view to an award, but that no award be given until after the Governor's return and after his full cognizance of what has been done in his absence.

The Commissioners then read the evidence given by Wm Lee Ellis on the 19th and 21st of Jan. They then adjourned till tomorrow the 14th inst at 10 o'clock A. M.

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Honolulu House
14th Feb: 1849

The Commissioners met again at the hour appointed.

They read in native and English the evidence given by Wm Jarrett on the 22nd and 23rd of December. Also the evidence given by Mrs R. Lawton, Wm Ladd and R. W. Wood on the 26th of December.

They then adjourned till tomorrow the 15th instant at 10 o'clock A. M.

Cf H

Honolulu House
15th Feb 1849

The Commissioners met again at the hour appointed

They read & in nature and substance the evidence of James Pearce 12 jurors on the 27th of Dec., also that of Arthur P. Bickwood jurors on the 3rd of Jan. and that of Wm. French, Charles P. Robinson jurors on the 4th of Jan. that of Asher B Bates, Louis Braviers and Henry Lee jurors on the 5th of Jan.

They then adjourned till tomorrow the 16th inst at 10 o'clock A.M.

C. J. H.

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Honolulu House
16th Feb: 1865

The Commissioners met again at the time appointed.

They read in native and English the evidence given by Mr Reed on the 9th of Jan'y also that of Mr Young given on the same day. Also that given on the 10th by John Young, G.S. Kenway and R.C. Wyllie. Also that of J. M. Robertson given on the 15th Jan'y, also that given by Kinimaka on the 30th Jan'y. They also read in English that given by A.B. Bates, H. Rice, W.L. Harbottle, A Parker & M. Kekauonohi given the 31st Jan'y.

They then adjourned till Monday the 19th inst at 10 o'clock A.M.

C.P.H.

Honolulu House
16th Feb 1869

The Commissioners met pursuant
to the House adjourned

The read in native the evidence
of A.B. Bates, K. Lea, W.L. Moikeha,
A. Paki, and M. Ke Kuanawa;
and read in native and English
the record from the 1st of Feb
to the 16th of Feb. both inclusive.

They also read in native and
English the evidence of Wm
G. M. Robertson, handed in
on the 15th Inst.

They then adjourned till
Wednesday the 21st instant
at 10 o'clock A.M.

C.f.H

Honolulu House
21 February 1843

The Commissioners met pursuant
at the hour appointed.
They looked through the minutes
of the Cabinet Council from
3rd March 1842 to the 24th
August 1843 with a view to
discover what they contained
bearing upon the charges
and defence.
They then adjourned till
Saturday the 25th at
11 o'clock A.M.

C.J.H.

Honolulu Nov.
24th February 1847

The Commissioners met agreeable to the hour appointed.

They examined the Records of the Privy Council from the 29th July 1845 to the 12th Nov. 1847, in natural and Analytick, without finding any record whatever of any resolutions or Conversation about Landing for the Boats ~~and landings~~ of ~~the~~ Hawaii for the purpose.

They then adjourned till Monday the 26th instant. ~~1847~~ at 10 o'clock A.M.

The 27th Nov. C

C. J. K

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Honolulu House
26th February 1849

The Commissioners met as per
at the hour appointed.

They commenced reading the
records of the Privy Council
of the 26 Nov. 1847, and
read till the minutes of
the 19th Oct 1848 inclusive.

They then examined the letter book of the Dept. of Finance
No 4, throughout and letter book
2 of Mr Judd's letter to No
dates of the 31st May 1848.

They then adjourned till tomorrow
the 27th instant at 10 o'clock
A. M.

C. F. H.

Honolulu House
27th February 1849

The Commissioners met pursuant to the hour appointed

They continued the examination of the 2nd letter book from the letter of M. Dillon of the 29th May 1848 and ending with Mr Ingalls letter to Mr Dillon of 4th Jan'y 1849.

The Commissioners then took up Mr Gamp's letter book (that of the Interior Department) from the 1st letter of date 29th Nov 1846 to Mr Robinson's letter to Mr Ende of 3rd Nov 1848.

Mr Wyllie read from his private journal vol: 3rd page 275, 14th May; page 281, 15th May, page 283, 20th May; and 22nd May; page 286 30th and 31st May; page 287 same date;

Adjt

page 294/6, 11th June; page 299, 15th June; page 322, 27th July; and 237, 11th August, showing that although Mr Judd had not made known to Dr Wylie Mr Dillon's letter of the latter date, yet that from the 15th May he had frequently assisted Dr Wylie at meeting times of Mr Dillon's secret endeavours to flatter him and to create distrust of Dr Wylie as in league with the British Consul General against the King's independence.

They then adjourned till tomorrow the 28th instant at 11 o'clock A.M.

Cafft

Honolulu Honua

28 Febry 1849

The Commissioners met again at the house appointed.

Mr Armstrong read in English and afterwards the Native ~~the~~ his individual views on the 10 first chapters.

The Commissioners then adjourned till tomorrow the 1st March 1849, at 10 o'clock A. M.

Honolulu House
2nd March 1849

The Commissioners met this day after an adjournment yesterday.

Mr. Wyllie introduced a letter rec'd by him from M. Kekuanaoa dated 26th Feb'y 1849 and addressed to him and the other Commissioners

D 35

Mr Hopkins submitted a letter rec'd by him at the hands of the King, to whom it was addressed by Mr Kekuanaoa on the 26th Feb from Nahuiwahi, Kauai; said letter containing a document expressive of his (M. Kekuanaoa's) views with regard to the Charges preferred against Mr Judd.

D 34

Resolved that the letters of Kekuanaoa one of which number have been received, they were written on Kauai Feb'y 26th, one to the King another to Mr Wyllie, and

have been read; they
express only his individual
opinion and are only to
be regarded as such.
written also the absence [redacted] of
the Records.

Resolved that a respectful
enquiry be made of His Majesty
the King, whether His Majesty
considers the five Commissioners
who are present, competent
to proceed under His Majesty's
letter of the 29th November
last, without the presence of
His Excellency M. Kekewich
who is expressly named in
His Majesty's letter.

Resolved that the Commission
adjourn till tomorrow the
3rd instant at 10 o'clock
A. M.

Honolulu House
3rd March 1869

The Commissioners met again at the hour appointed.

Mr Hopkins reported that he had obtained the King's opinion on the propriety of the five remaining Commissioners proceeding to an award in the absence of Mr McKinnon. His Majesty was of opinion that they had better proceed as the time of Mr McKinnon's return is so uncertain and delay is if possible to be avoided.

Resolved, that having obtained the King's permission to proceed, the Commissioners now consider the Charges with their respective Charges & Specifications, with a view to a final award thereon.

C. J. H

After reading all the evidence connected with the 1st Specification of the 1st charge, the Commissioners voted unanimously, that Mr Judd has controlled the management of Government lands.

Voted unanimously that since the 7th March 1846 he has done so under the authority of Mr Young, the Minister of the Interior.

Voted unanimously that having been authorized by Mr Young, it cannot be considered usurpation.

Voted that by reference to the Statute book 1 section Chapter 4 of the 1st Act of Kamehameha III, the law clerks names as clerks appointed by the Minister of the Interior as the part to whom he may assign all the duties coming under that Chapter, which includes the management of Govt lands.

The above being put to the vote Mr Lyons and Mr Hopkins voted in the affirmative. Mr Armstrong, Mr Parke and Mr Li declined voting; Mr Armstrong because it was irrelevant in his opinion & Parke on account of the

document proven by John Gano
& Mr Judd on the 7th March
1846 and Doct. assigned the
same reasons.

The Commissioners then adjourned
till Monday the 5th instant
at 10 o'clock A.M.

Honolulu House,
5th March 1866.

The Commissioners met again at the hour appointed. Mr Wyllie absent on account of health.

A letter was received from Mr Judd in connection with the request made to him by the Secretary on Saturday last for the supplying of copies of the account required by the Commissioners.

Ordered that the adjournment till tomorrow the 6th instant at 10 o'clock A.M.

Honiton House,
6th March 1845.

The Commissioners met again at the hour appointed.

Mr. Armstrong moved the following Resolutions:—

Resolved, That the Commissioners do close their sessions, leaving each member to make any [illegible] and report to His Majesty in his own way; and that this note be communicated to His Majesty for his approval.

Mr. Armstrong after some discussion postponed his motion.

Mr. Baillie moved the following resolutions:—

Resolved that previous to dealing with the evidence and with a view to arrive at an unanimous and legal

said Theresa, Mr Roberts charges and specifications with a copy of the King's letter of the 29th Nov. be laid in Consultation to Chief Justice Lee with a request that he will take the same into consideration & the whole submit his opinion in writing, in regard to what charges and specifications be considered cognizable by the Commissioners, under the King's letter and the law thereto, upon to, as aforesaid, & an impeachment be provided against Doct Judge in the character given him in that letter specifying what charges and specifications, among those provided, are not offences, upon which S. Doct Judge can be impeached.

Co. f. H

In favor of the motion, Patti, John Li, Wyllie and Armstrong; Against it, Hopkins who preferred using his own judgment and standing on his own responsibility.

The secretary was requested to send Mr Lee the following letter.

Royal Commission
6th March 1868

Sir, I have the honor to enclose copy of a resolution this day passed in regard to the case of Mr Lee and I hope you will do me the favor as early as possible to advise me of the decision to which you may arrive. I also inclose a document which will be of some weight with you in inducing you to give it freely, to know that when the Commissioners were installed as J.P.'s,

before the Ki[illegible] it was clearly understood that they were to have the right to consult with Jam, whenever they [illegible] to. respect.

I, it much interest [illegible] have the honour to be

Sir

Your ob[illegible] Servt

Chandra Jordan Chatterjee

Hon: Secretary

And Member for the Com:

P.S. The Commission will not meet again till Friday at 11 o'Clock —

Mr. Watkins introduced [illegible] introduced yesterday stating a note from Mr Davis. —

The Commission resolved to await the Judge's opinion upon the point submitted to him, before proceeding

further in the matter of said accounts.

The Commissioners then adjourned till Friday the 9th. at 11 o'clock A.M.

and that the Commissioners
adjourn till the 2nd Monday
in April, when they shall
meet to compare their
seperate awards with a view
to adopt some one of them
after such corrections and
amendments as the Commissioners
may find necessary."

Resolved that a copy of
this resolution be forwarded to
Chief Justice Lee with
the thanks of the Commissioners
for the opinion referred to
in the preceding resolution.

The Commissioners then
adjourned till Monday the
9th of April 1849.

Opt

Honolulu Hawaii
21st April 1893

The Commissioners met again this day:
Mr. Wyllie, Doc Parke, Doc Li and Doc Armstrong and their separate awards, and after considerable discussion the meeting adjourned till Monday the 23rd inst at 9 o'clock A.M.

Honolulu House
23rd April 1869

The Commissioners met again this day.

Mr Hopkins read his draft of an award founded upon that submitted by Mr Coffin.

It was voted that that award be accepted and signed, and the commissioners signed the draft and requested Mr Hopkins to have it copied fairly and handed over to Mr Armstrong for translation.

They then adjourned.

R. C. Wyllie, President.